



# भारत का राजपत्र The Gazette of India

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No. 45]

NEW DELHI, SATURDAY, NOVEMBER 9, 1996/KARTIKA 18, 1918

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में  
रखा जा सके

Separate Paging is given to this Part in order that it may be filed as a  
separate compilation

## भाग II—खण्ड 3—उप-खण्ड (ii) PART II—Section 3—Sub-section (ii)

भारत सरकार के मंत्रालयों (रक्षा मंत्रालय को छोड़कर) द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएं  
Statutory Orders and Notifications Issued by the Ministries of the Government of India  
(Other than the Ministry of Defence)

विधि और न्याय मंत्रालय

(विधि कार्य विभाग)

(न्यायिक अनुभाग)

सूचना

नई दिल्ली, 15 अक्टूबर, 1996

का. आ. 3106.—नोटरीज नियम, 1956 के नियम 6 के  
अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है  
कि श्री श्रीकान्त मास्तगाव काले, एडवोकेट ने उक्त  
प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक  
आवेदन इस बात के लिए दिया है कि उसे बारामती, पुणे  
जिला (महाराष्ट्र) में व्यवसाय करने के लिए नोटरी के  
रूप में नियुक्त किया जाए। इस नियुक्ति पर किसी भी  
प्रकार का आप्रोप इस सूचना के प्रकाशन के चौदह दिन के  
भीतर लिखित रूप में मेरे पास भेजा जाए।

[सं. 5 (188)/96-न्यायिक]

एन. सी. जैन,

सक्षम प्राधिकारी एवं अपर विधि सलाहकार

MINISTRY OF LAW AND JUSTICE

(Department of Legal Affairs)

(Judicial Section)

NOTICE

New Delhi, the 15th October, 1996

S.O. 3106.—Notice is hereby given by the Competent  
Authority in pursuance of Rule 6 of the Notaries Act, 1956  
that application has been made to the said Authority, under  
Rule 4 of the said Rules, by Sh. Shri Kant Mamt Ras Kale  
Advocate for appointment as a Notary to practise in Bara-  
mati, Distt. Pune (Maharashtra).

2. Any objection to the appointment of the said person as  
a Notary may be submitted in writing to the undersigned  
within fourteen days of the publication of this notice.

[No. F. 5(188)/96-Judl]

N. C. JAIN, Competent Authority  
& Additional Legal Adviser

## सूचना

नई दिल्ली, 15 अक्टूबर, 1996

का.आ. 3107.—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री लाडू राम बोयल, एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे खेतरी, झंझनू (राजस्थान) में व्यवसाय करने के लिए नोटरी के रूप में नियुक्त किया जाए। इस नियुक्ति पर किसी भी प्रकार का आक्षेप इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. 5(194)/96-न्यायिक]

एन.सी. जैन, सक्षम प्राधिकारी एवं अपर विधि सलाहकार

## NOTICE

New Delhi, the 15th October, 1996

S.O. 3107.—Notice is hereby given by the Competent Authority in pursuance of rule 6 of the Notaries Act, 1956 that application has been made to the said Authority, under Rule 4 of the said Rules, by Sh. Ladhu Ram Boyal Advocate for appointment as a Notary to practise in Khetri Jhunjhuna (Rajasthan).

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this notice.

[No. F. 5(194)/96 Judl.]

N. C. JAIN, Competent Authority  
& Addl. Legal Adviser

## सूचना

नई दिल्ली, 15 अक्टूबर, 1996

का.आ. 3108.—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री प्रकाश सिंह सरावजीत सिंह ठाकुर, एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे मल्हाड़, बम्बई (महाराष्ट्र) में व्यवसाय करने के लिए नोटरी के रूप में नियुक्त किया जाए। इस नियुक्ति पर किसी भी प्रकार का आक्षेप इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. 5(193)/96-न्यायिक]

एन.सी. जैन, सक्षम प्राधिकारी एवं  
अपर विधि सलाहकार

## NOTICE

New Delhi, the 15th October, 1996

S.O. 3108.—Notice is hereby given by the Competent Authority in pursuance of rule 6 of the Notaries Act, 1956 that application has been made to the said Authority, under Rule 4 of the said Rules, by Sh. Prakash Singh Sarabhjeet

Singh Thakur, Advocate for appointment as a Notary to practise in Malad, Bombay (Maharashtra).

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this notice.

[No. F. 5(193)/96 Judl.]

N. C. JAIN, Competent Authority  
& Addl. Legal Adviser

## सूचना

नई दिल्ली, 17 अक्टूबर, 1996

का.आ. 2109.—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री ओम प्रकाश ग्रोवर, एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिये किया है कि उसे कैथल जिला (हरियाणा) में व्यवसाय करने के लिये नोटरी के रूप में नियुक्त किया जाए। इस नियुक्ति पर किसी भी प्रकार का आक्षेप इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. 5(195)/96-न्यायिक]

एन.सी. जैन, सक्षम प्राधिकारी एवं अपर विधि सलाहकार

## NOTICE

New Delhi, the 17th October, 1996

S.O. 3109.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956 that application has been made to the said Authority, under Rule 4 of the said Rules, by Shri Om Prakash Grover, Advocate for appointment as a Notary to practise in Kaithal District (Haryana).

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this notice.

[No. F. 5(195)/96 Judl.]

N. C. JAIN, Competent Authority &amp; Addl. Legal Adviser

## सूचना

नई दिल्ली, 17 अक्टूबर, 1996

का.आ. 3110.—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि सुश्री हंसा चन्नुभाई कडोई, एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन पत्र इस बात के लिये दिया है कि उसे खेड़ा जिला (गुजरात) में व्यवसाय करने के लिये नोटरी के रूप में नियुक्त किया जाए। इस नियुक्ति पर किसी भी प्रकार का आक्षेप इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. 5(196)/96-न्यायिक]

एन.सी. जैन, सक्षम प्राधिकारी

एवं अपर विधि सलाहकार

## NOTICE

New Delhi, the 17th October, 1996

S.O. 3110.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956 that application has been made to the said Authority under Rule 4 of the said Rules, by Ms. Hansa Chandubhai, Kandol Advocate for appointment as a Notary to practise in District Kheda (Gujarat).

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this notice.

[No. F. 5(196)/96-Judl.]

N. C. JAIN, Competent Authority &amp; Addl. Legal Adviser

वित्त मंत्रालय

(आर्थिक कार्य विभाग)

(वैकिंग प्रभाग)

नई दिल्ली, 15 अक्टूबर, 1996

का.आ. 3111.—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक की सिफारिश पर, एतद्वारा घोषणा करती है कि उक्त अधिनियम की धारा 10-ख की उपधारा (1) (1क) तथा (2) के उपबन्ध लार्ड कृष्णा बैंक लि. पर 2 अगस्त, 1996 से 1 नवम्बर, 1996 तक तीन महीने की अवधि के वास्ते अथवा बैंक के नियमित पूर्णकालिक अध्यक्ष की नियुक्ति होने तक, इनमें जो भी पहले हो, लागू नहीं होंगे।

[संख्या 15/12/96-बी.ओ.ए. (i)]

प्रतिभा मोहन, निदेशक

## MINISTRY OF FINANCE

(Department of Economic Affairs)

(Banking Division)

New Delhi, the 15th October, 1996

S.O. 3111.—In exercise of the powers conferred by Section 53 of the Banking Regulation Act, 1949 (10 of 1949), the Central Government, on the recommendation of the Reserve Bank of India hereby declare that the provisions of sub-sections (1), (1A) and (2) of Section 10B of the said Act, shall not apply to the Lord Krishna Bank Ltd., for a period of three months from 2nd August, 1996 to 1st November 1996 or till the appoint-

ment of a regular Chairman and Chief Executive Officer for that bank, whichever is earlier.

[F No. 15/12/96-BOA (i)]

PRATIBHA MOHAN, Director.

नई दिल्ली, 15 अक्टूबर, 1996

का.आ. 3112.—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक की सिफारिश पर, एतद्वारा घोषणा करती है कि उक्त अधिनियम की धारा 10-ख की उपधारा (9) के उपबन्ध लार्ड कृष्णा बैंक लि. पर 2 अगस्त, 1996 से 1 नवम्बर, 1996 तक अथवा बैंक के नियमित अध्यक्ष एवं मुख्य कार्यपालक अधिकारी की नियुक्ति होने तक, इनमें से जो भी पहले हो, उस सीमा तक लागू नहीं होंगे जहां तक बैंक को 4 महीने से अधिक के वास्ते अध्यक्ष एवं मुख्य कार्यपालक अधिकारी का कार्य करने के लिए किसी व्यक्ति को नियुक्त करने की छूट प्राप्त है।

[सं. 15/12/96-बी.ओ.ए. (ii)]

प्रतिभा मोहन, निदेशक

New Delhi, the 15th October, 1996

S.O. 3112.—In exercise of the powers conferred by Section 53 of the Banking Regulation Act, 1949 (10 of 1949), the Central Government, on the recommendation of the Reserve Bank of India hereby declare that the provisions of sub-section (9) of Section 10B of the said Act, shall not, to the extent they preclude the bank from appointing a person to carry out the duties of the Chairman and Chief Executive Officer beyond a period exceeding four months, apply to the Lord Krishna Bank Ltd. from 2nd August, 1996 to 1st November, 1996 or till the appointment of a regular Chairman and Chief Executive Officer for that bank, whichever is earlier.

[F. No. 15/12/96-BOA (ii)]

PRATIBHA MOHAN, Director

नई दिल्ली, 18 अक्टूबर, 1996

अद्वय

का.आ. 3113.—श्री पी. पी. जोरा द्वारा राष्ट्रीय छायास बैंक के अध्यक्ष एवं प्रबन्ध निदेशक का पदभार ग्रहण करने के फलस्वरूप श्री सी. एम. वासुदेव, आई ए एस (उ. प्र. -66), अपर सचिव (वैकिंग), वित्त मंत्रालय, नई दिल्ली ने दिनांक

14 अक्टूबर, 1996 से राष्ट्रीय आवास बैंक के अध्यक्ष एवं प्रबन्ध निदेशक का समवर्ती अतिरिक्त कार्यभार छोड़ दिया है।

[फा.सं. 7/1/95-बी ओ I]  
के.के. मंगल, अवसर सचिव

New Delhi, the 18th October, 1996

### ORDER

S.O. 3113.—Consequent upon the assumption of charge by Shri P. P. Vora as Chairman and Managing Director, National Housing Bank, Shri C. M. Vasudev, IAS (UP : 66), Additional Secretary (Banking), Ministry of Finance, New Delhi has ceased to hold concurrent additional charge of the post of Chairman and Managing Director, National Housing Bank with effect from 14th October, 1996.

[F. No. 7/1/95-BO-I]  
K. K. MANGAL, Under Secy.

नई दिल्ली, 22 अक्टूबर, 1996

का.आ. 3114.—राष्ट्रीयकृत बैंक (प्रबन्ध और प्रकीर्ण उपबन्ध) स्कीम, 1970 के खण्ड 3 के उपखण्ड (1), खण्ड 5, खण्ड 6, खण्ड 7 और खण्ड 8 के उपखण्ड (1) के साथ पठित बैंककारी कंपनी (उपक्रमों का अर्जन एवं अन्तरण) अधिनियम, 1970 की धारा 9 की उपधारा 3 के खण्ड (क) द्वारा प्रदत्त शक्तियों के अनुसरण में, केन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श करने के पश्चात् एतद्वारा, श्री घोषक रुद्रा को 23-7-96 से प्रारम्भ होकर 22-10-96 को समाप्त होने वाली अवधि के लिए यूको बैंक का अध्यक्ष एवं प्रबन्ध निदेशक पुनर्नियुक्त करती है।

[फ.सं. 9/14/96-बी.ओ. I]  
के.के. मंगल, अवसर सचिव

New Delhi, the 22nd October, 1996

S.O. 3114.—In pursuance of the powers conferred by clause (a) of sub-section 3 of Section 9 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970, read with sub-clause (1) of clause 3, clause 5, clause 6, clause 7 and sub-clause (1) of Clause 8 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government, after consultation with the Reserve Bank India, hereby reappoints Shri Dipak Rudra, as the Chairman and Managing Director of the UCO Bank for a further period commencing on

23rd July, 1996 and ending with 22nd October, 1996.

[F. No. 9/14/96-BO-I]  
K. K. MANGAL, Under Secy.

नई दिल्ली, 28 अक्टूबर, 1996

का.आ. 3115.—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक की सिफारिश पर, एतद्वारा, यह घोषणा करती है कि उक्त अधिनियम की धारा 15(1) के उपबन्ध इस अधिसूचना की तारीख से 5 वर्ष की अवधि के लिए बैंक आफ इंडिया पर लागू नहीं होंगे।

[संख्या 12/19/96-बी.ओ.ए.(ख)]  
प्रतिभा मोहन, निदेशक (बी.ओ.)

New Delhi, the 28th October, 1996

S.O. 3115.—In exercise of the powers conferred by Section 53 of the Banking Regulation Act, 1949 (10 of 1949), the Central Government, on the recommendation of the Reserve Bank of India, hereby declares that the provisions of Section 15(1) of the said Act shall apply for a period of five years from the date of this notification to the Bank of India.

[No. 12/19/96-BOA (b)]  
P. MOHAN, Director (BO)

नई दिल्ली, 28 अक्टूबर, 1996

का.आ. 3116.—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक की सिफारिश पर, एतद्वारा, घोषणा करती है कि उक्त अधिनियम की धारा 13 के प्रावधान इस अधिसूचना की तारीख से 5 वर्षों की अवधि तक के लिए बैंक आफ इंडिया पर लागू नहीं होंगे।

[संख्या 12/19/96-बी.ओ.ए.(क)]  
प्रतिभा मोहन, निदेशक (बी.ओ.)

New Delhi, the 28th October, 1996

S.O. 3116.—In exercise of the powers conferred by Section 53 of the Banking Regulation Act, 1949 (10 of 1949), the Central Government, on the recommendation of the Reserve Bank of India, hereby declares that the provisions of Section 13 of the said Act shall not apply for a period of five years from the date of this notification to the Bank of India.

[No. 12/19/96-BOA(a)]  
P. MOHAN, Director (BO)

केन्द्रीय प्रत्यक्ष कर बोर्ड  
नई दिल्ली, 29 अक्टूबर, 1996

का.आ. 3117.—आयकर अधिनियम, 1961 की धारा 119 की उपधारा (2) के खण्ड (क) के अन्तर्गत प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय प्रत्यक्ष कर बोर्ड एतद्वारा कर-निर्धारण वर्ष 1996-97 के लिए निम्नलिखित कर-निर्धारितियों के वर्ग के बारे में धारा 139 की उपधारा (1) के अन्तर्गत स्पष्टीकरण के प्रयोजनो हेतु 30 नवम्बर, 1996 को देय तारीख विनिर्दिष्ट करता है :—

कर-निर्धारितियों की श्रेणी :

- (i) आयकर अधिनियम, 1961 की धारा 139 की उपधारा (1) के स्पष्टीकरण के खंड (ख) के उपखंड (i) में यथा-परिभाषित सभी मामले।
- (ii) आयकर अधिनियम, 1961 की धारा 40 के खण्ड (ख) के स्पष्टीकरण 4 में यथा-परिभाषित फर्मों में सक्रिय भागीदार, जिन्हें आयकर अधिनियम, 1961 की धारा 44कख के उपबन्धों के अनुसार कर-निर्धारण वर्ष 1996-97 के संगत 31 मार्च, 1996 को समाप्त हुए पूर्व वर्ष के बारे में अपने खातों की लेखा-परीक्षा करानी अपेक्षित है और जिसके मामले में अधिसूचना संख्या 10173, दिनांक 8 अगस्त, 1996 (फा. सं. 220/2/96-आयकर नि.-II) के तहत समय बढ़ाने की अनुमति पहले ही दी गई थी।

2. केन्द्रीय प्रत्यक्ष कर बोर्ड द्वारा आगे यह अधिसूचित किया जाता है कि आयकर अधिनियम की धारा 44कख के अन्तर्गत स्पष्टीकरण के खंड (ii) के उपखंड (ख) में उल्लिखित “विनिर्दिष्ट तारीख” कर-निर्धारण वर्ष 1996-97 के संबंध में 30 नवम्बर, 1996 तक बढ़ायी गयी मानी जाएगी।

[अधिनियम सं. 10218/फा.सं. 220/6/96-आ.क.नि-II]

मालथी आर. श्रीधरन, अवसर सचिव

## CENTRAL BOARD OF DIRECT TAXES

New Delhi, the 29th October, 1996

S.O. 3117.—In exercise of the powers conferred under clause (a) of sub-section (2) of Section 119 of the Income-tax Act, 1961, the Central Board of Direct Taxes hereby specifies the due date for the purposes of Explanation 1 under sub-section (1) of Section 139 as 30th November, 1996, in respect of the following class of assesses for the assessment year 1996-97.

## CLASS OF ASSESSEES

- (i) All cases as defined in sub-clause (i) of clause (b) of Explanation to sub-

section (1) of Section 139 of the Income-tax Act, 1961.

- (ii) The working partners as defined in Explanation 4 of clause (b) of Section 40 of the Income-tax Act, 1961, in firms which are required to get their accounts audited in respect of the previous year ended 31st day of March, 1996 relevant to the assessment year 1996-97 in accordance with the provisions of Section 44-AB of the Income-tax Act, 1961, and in whose case extension was earlier granted upto 31st October, 1996, vide Notification No. 10173 dated the 8th August, 1996 (F. No. 220/2/96-ITA. II).

2. The Central Board of Direct Taxes further notifies that the “Specified date” mentioned in sub-clause (b) of clause (ii) of the Explanation under Section 44-AB of the Income-tax Act shall stand extended to 30th day of November, 1996 in relation to Assessment year 1996-97.

[Notification No. 10218/F. No. 220/6/96-ITA.II]

MALATHI R. SRIDHARAN, Under Secy.

उद्योग मंत्रालय

(औद्योगिक विकास विभाग)

नई दिल्ली, 25 अक्टूबर, 1996

का.आ. 3118.—केन्द्रीय सरकार विकास परिषद् (प्रक्रिया) नियम, 1952 के नियम 2, नियम 4, और नियम 5 के साथ पठित उद्योग (विकास और विनियमन) अधिनियम, 1951 (1951 का 65) की धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारत सरकार के उद्योग मंत्रालय (औद्योगिक विकास विभाग) की अधिसूचना सं. का.आ. 891(अ), तारीख 6 नवम्बर, 1995 का संशोधन करती है, उक्त अधिसूचना में, —

- (क) क्रम सं. 11 और उससे संबंधित प्रविष्टियों के स्थान पर निम्नलिखित रखा जाएगा, अर्थात् :—

“11. श्री एच. एन. श्रीहरी,  
मै. आई. सी. आई. इंडिया लि.,  
कलकत्ता।

सदस्य”

- (ख) क्रम सं. 17 और उससे संबंधित प्रविष्टियों के स्थान पर निम्नलिखित रखा जाएगा, अर्थात् :—

“17. श्री सी. एम. देवस्थले,  
मुख्य कार्यकारी अधिकारी,  
मै. कनार्टक एक्सप्लोरिन्स लि.,  
बंगलौर।

सदस्य”

(ग) क्रम सं. 23 और उसके संबंधित प्रविष्टियों के पश्चात् निम्नलिखित क्रम सं. और प्रविष्टियाँ अंतःस्थापित की जाएंगी, अर्थात् :—

23क. श्री. संजय डालमिया

संसद सदस्य,

राज्य सभा ।

सदस्य ।

[फा.सं. 5/5/92-डी०पी०आर० (इ जी जी एस/एक्सन)]

पुष्पेन्द्र राय, निदेशक

#### MINISTRY OF INDUSTRY

(Department of Industrial Development)

New Delhi, the 25th October, 1996

S.O. 3118.—In exercise of powers conferred by Section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951), read with rules 2, 4 and 5 of the Development Council (Procedural) Rules, 1952, the Central Government hereby amends the notification of the Government of India in the Ministry of Industry (Department of Industrial Development) No S.O. 891(F), dated the 6th November, 1995, namely :—

In the said notification,—

(a) for serial number 11 and the entries relating thereto the following shall be substituted, namely :—

"11. Shri H. N. Srihari,  
M/s. ICI India Ltd.,  
Calcutta.

Member;"

(b) for serial number 17 and the entries relating thereto the following shall be substituted, namely :—

"17. Shri C. M. Dcosthale,  
Chief Executive Officer,  
M/s. Karnataka Explosive Ltd.,  
Bangalore.

Member,"

(c) after serial number 23 and the entries relating thereto the following serial numbers and the entries shall be inserted, namely :—

"23A. Shri Sanjay Dalmia,

Member of Parliament,

Rajya Sabha.

Member."

[F. No. 5/5/92 DPR/EGGS/EXPL.]

PUSHPENDRA RAI, Director

वाणिज्य मंत्रालय

विदेश व्यापार महानिदेशालय

नई दिल्ली, 25 अक्टूबर, 1996

फा.सं. 3119.—मेसर्स ट्विन स्टार्स इन्डस्ट्रियल कॉर्पोरेशन 51/53, अब्दुल रहमान स्ट्रीट, बम्बई 400003 को 2,52,20,000/- रुपये (8,40,800 अमरीकी डालर) के निर्यात वाणिज्य के साथ 1,68,66,000 रुपये (5,62,200 अमरीकी डालर) के लागत सीमा-भांटा मूल्य हेतु अग्रिम लाइसेंस संख्या पी/एल/के/3495774, दिनांक 16-11-94 प्रदान किया गया था साथ ही डी.ई.ई.सी. बुक संख्या 142299, दिनांक 16-11-94 (भाग-1 आयात एवं भाग-2 निर्यात) भी जो जिनकी वैधता लाइसेंस जारी करने से

12 माह तक जो अब फर्म ने इस आधार पर अग्रिम लाइसेंस (सीमाशुल्क प्रयोजन प्रति) और डी.ई.ई.सी. बुक (भाग-1 आयात एवं भाग-2 निर्यात दोनों) को आनुसंधान जारी करने के लिए आवेदन किया है कि वह खो गई है। फर्म ने आवश्यक शपथ-पत्र प्रस्तुत किया है जिसके अनुसार उपयुक्त अग्रिम लाइसेंस बम्बई सीमा शुल्क प्राधिकारी के पास पंजीकृत नहीं था और उसके 70,51,910 रुपये (2,33,298 अमरीकी डालर) का कोई उपयोग नहीं किया गया था तथा लाइसेंस/डी.ई.ई.सी. बुक के प्रति शेष लागत सीमा-भांटा मूल्य 93,64,060/- रुपये (3,28,902 अमरीकी डालर) है। शपथ पत्र में इस आशय की घोषणा भी की गई है कि यदि उक्त लाइसेंस/डी.ई.ई.सी. बुक का बाद में पता लग जाता है या मिल जाते हैं तो उन्हें जारी करने वाले प्राधिकारी को लौटा दिया जाएगा।

2. इन बात में संतुष्ट हो जाने पर कि मूल अग्रिम लाइसेंस (सीमा शुल्क प्रयोजन प्रति) और डी.ई.ई.सी. बुक (भाग-1 आयात/भाग-2 निर्यात दोनों) खो गई है, अधाहस्ताक्षरी का निदेश दिया गया है कि प्रांशक को डुप्लीकेट अग्रिम लाइसेंस (सीमा शुल्क प्रयोजन प्रति) और डी.ई.ई.सी. बुक (भाग-1 आयात/भाग-2 निर्यात दोनों) जारी कर दिए जाए। में निदेश व्यापार (विकास और विनियमन) अतिरिक्त, 1992 की धारा 9 की उप धारा 4 में प्रदत्त शक्तियों का प्रयोग करते हुए, एतद्वारा मूल अग्रिम लाइसेंस संख्या पी/एल/के 3495774 दिनांक 16-11-94 (केवल सीमाशुल्क प्रयोजन प्रतियाँ) और डी.ई.ई.सी. बुक संख्या 142299 दिनांक 16-11-94 (भाग-1 आयात/भाग-2 निर्यात दोनों) को रद्द करनी है।

[फा.सं. 1/31/40/1112/ए.एस-95/डी.ई.एस-3/3324

गीता माधुर, उप महानिदेशक

कृते महानिदेशक

#### MINISTRY OF COMMERCE

#### DIRECTORATE GENERAL OF FOREIGN TRADE

New Delhi, the 25th October, 1996

S.O. 3119.—M/s. Twin Stars India Corpn. 51/53, Abdul Rehman Street, Bombay-400003, were granted an Advance Licence No. P/L/K/3495774 dated 16-11-94 for CIF value of Rs. 1,68,66,000.00 (US \$ 5,62,200.00), with an Export Obligation of Rs. 2,52,20,000.00 (US \$ 8,40,800.00) alongwith DEEC Book No. 142299 dated 16-11-94 (Part I-Import and II-Export) with a validity of 12 months from the date of issue of the Licence. Now the firm have applied for grant of duplicate of Advance Licence (Customs purpose copy only) and DEEC Book (Part I-Import/Part II-Export both) on the ground that the same have been lost/misplaced. The firm have furnished necessary Affidavit according to which the aforesaid Advance Licence was

registered with Bombay Customs Authority and was utilised for Rs. 70,01,940 (US \$ 2,33,2987) and the balance CIF Value against the licence/DEEC Book is Rs. 98,64,060 (US \$ 3,28,902.00). A declaration has also been incorporated in the Affidavit to the effect that if the said Licence/DEEC Book is/are traced or found later on, it will be returned to the Issuing Authority.

On being satisfied that the Original Advance Licence (Customs purpose copy only) and DEEC Book (Part I-Import)/Part-II Export/Both have been lost, the undersigned is directed that dupli-

cate Advance Licence (Customs purpose copy only) and DEEC Book (Part I-Import/Part II-Export both) should be issued to the applicant. I also, in exercise of the powers conferred in sub-clause (4) of Clause 9 of the Foreign Trade (Development and Regulation) Act, 1992, hereby cancel the Original Advance Licence No. P/L/K/3495774 dated 16-11-94 (Customs purpose copy only) and DEEC Book No. 142299 dated 16-11-94 (Part I-Import/Part II-Export both).

[F. No. 01/81/40/1112/AM-95/DES-III/3324]

RITA MATHUR, Dy. Director  
General for Director General

मानव संसाधन विकास मंत्रालय

(युवा कार्यक्रम और खेल विभाग)

नई दिल्ली, 15 अक्टूबर, 1996

का. शा. 3120.—केन्द्रीय सरकार राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम 1976 के नियम 10(4) के अनुसरण में नेहरू युवा केन्द्र संगठन के 33 कार्यालयों (अनुबन्ध संलग्न) को जिनके कर्मचारी-बन्ध ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, अधिभूजित करती है।

क्रम सं.	कार्यालय का नाम	राज्य	क्षेत्र
1	2	3	4
1.	नेहरू युवा केन्द्र, राजसमन्द	राजस्थान	"क"
2.	नेहरू युवा केन्द्र, मुंदी	राजस्थान	"क"
3.	नेहरू युवा केन्द्र, धोलपुर	राजस्थान	"क"
4.	नेहरू युवा केन्द्र, फतेहगढ़	उत्तर प्रदेश	"क"
5.	नेहरू युवा केन्द्र, मोनभद्र	उत्तर प्रदेश	"क"
6.	नेहरू युवा केन्द्र, दटावा	उत्तर प्रदेश	"क"
7.	नेहरू युवा केन्द्र, हरिद्वार	उत्तर प्रदेश	"क"
8.	नेहरू युवा केन्द्र, बक्सर	बिहार	"क"
9.	नेहरू युवा केन्द्र, दरभंगा	बिहार	"क"
10.	नेहरू युवा केन्द्र, जहानाबाद	बिहार	"क"
11.	नेहरू युवा केन्द्र, यधुवती	बिहार	"क"
12.	नेहरू युवा केन्द्र, मोतिहारी	बिहार	"क"
13.	नेहरू युवा केन्द्र, गुमला	बिहार	"क"
14.	नेहरू युवा केन्द्र, नालन्दा	बिहार	"क"
15.	नेहरू युवा केन्द्र, शाजापुर	मध्य प्रदेश	"क"
16.	नेहरू युवा केन्द्र, सरगुजा	मध्य प्रदेश	"क"
17.	नेहरू युवा केन्द्र, खरमोन	मध्य प्रदेश	"क"
18.	नेहरू युवा केन्द्र, खालियर	मध्य प्रदेश	"क"
19.	नेहरू युवा केन्द्र, किछौर	हिमाचल प्रदेश	"क"
20.	नेहरू युवा केन्द्र, हमीरपुर	हिमाचल प्रदेश	"क"
21.	नेहरू युवा केन्द्र, हिसार	हरियाणा	"क"
22.	नेहरू युवा केन्द्र, नारनोल	हरियाणा	"क"
23.	नेहरू युवा केन्द्र, भावनगर	गुजरात	"ख"
24.	नेहरू युवा केन्द्र, सोलापुर	महाराष्ट्र	"ख"
25.	नेहरू युवा केन्द्र, रायगढ़	महाराष्ट्र	"ख"
26.	नेहरू युवा केन्द्र, पूना	महाराष्ट्र	"ख"

1	2	3	4
27.	नेहरू युवा केन्द्र, अमरेली	गुजरात	"ख"
28.	नेहरू युवा केन्द्र, गडचिरोली	महाराष्ट्र	"ख"
29.	नेहरू युवा केन्द्र, रोपड़	पंजाब	"ब"
30.	नेहरू युवा केन्द्र, फतेहगढ़ साहिब	पंजाब	"ख"
31.	नेहरू युवा केन्द्र, कालाहांडी	उड़ीसा	"ग"
32.	नेहरू युवा केन्द्र, वारपेटा	आसाम	"ग"
33.	नेहरू युवा केन्द्र बीड	महाराष्ट्र	"ख"

[मि. संख्या 3-7/96-हि.ए.]

आशा स्वरूप, संयुक्त सचिव

## MINISTRY OF HUMAN RESOURCE DEVELOPMENT

(Department of Youth Affairs and Sports)

New Delhi, the 15th October, 1996

S.O. 3120—In pursuance of rule 10(4) of the Official Language (use of official purposes of the Union) Rule 1976, the Central Government hereby notifies the 33 offices (Annexure attached) of Nehru Yuva Kendra Sangathan the staff whereof have acquired working knowledge of Hindi.

Sl. No.	Name of the Office	State	Region
1.	Nehru Yuva Kendra, Rajsamand	Rajasthan	"A"
2.	Nehru Yuva Kendra, Bundi	Rajasthan	"A"
3.	Nehru Yuva Kendra, Dhaulpur	Rajasthan	"A"
4.	Nehru Yuva Kendra, Fatehgarh	Uttar Pradesh	"A"
5.	Nehru Yuva Kendra, Sonbhadra	Uttar Pradesh	"A"
6.	Nehru Yuva Kendra, Etawah	Uttar Pradesh	"A"
7.	Nehru Yuva Kendra, Haridwar	Uttar Pradesh	"A"
8.	Nehru Yuva Kendra, Buxar	Bihar	"A"
9.	Nehru Yuva Kendra, Darbhanga	Bihar	"A"
10.	Nehru Yuva Kendra, Jahanabad	Bihar	"A"
11.	Nehru Yuva Kendra, Madhubani	Bihar	"A"
12.	Nehru Yuva Kendra, Motihari	Bihar	"A"
13.	Nehru Yuva Kendra, Gumla	Bihar	"A"
14.	Nehru Yuva Kendra, Nalanda	Bihar	"A"
15.	Nehru Yuva Kendra, Shajapur	Madhya Pradesh	"A"
16.	Nehru Yuva Kendra, Sarguja	Madhya Pradesh	"A"
17.	Nehru Yuva Kendra, Khargon	Madhya Pradesh	"A"
18.	Nehru Yuva Kendra, Gwalior	Madhya Pradesh	"A"
19.	Nehru Yuva Kendra, Kinnaur	Himachal Pradesh	"A"
20.	Nehru Yuva Kendra, Hamirpur	Himachal Pradesh	"A"
21.	Nehru Yuva Kendra, Hissar	Haryana	"A"
22.	Nehru Yuva Kendra, Narnaul	Haryana	"A"
23.	Nehru Yuva Kendra, Bhavnagar	Gujarat	"B"
24.	Nehru Yuva Kendra, Solapur	Maharashtra	"B"
25.	Nehru Yuva Kendra, Raigarh	Maharashtra	"B"
26.	Nehru Yuva Kendra, Pune	Maharashtra	"B"
27.	Nehru Yuva Kendra, Amreli	Gujarat	"B"

1	2	3	4
28.	Nehru Yuva Kendra, Gadchirauli	Maharashtra	"B"
29.	Nehru Yuva Kendra, Ropar	Punjab	"B"
30.	Nehru Yuva Kendra, Fatehgarh Sahib	Punjab	"B"
31.	Nehru Yuva Kendra, Kalahandi	Orissa	"C"
32.	Nehru Yuva Kendra, Barpete	Assam	"C"
33.	Nehru Yuva Kendra, Beed	Maharashtra	"B"

[F. No. 3-7/96-H.U.]  
ASHA SWAROOP, Jt. Secy.

### पेट्रोलियम और प्राकृतिक गैस मंत्रालय

नई दिल्ली, 16 अक्टूबर, 1996

का.आ. 3121.—केन्द्रीय सरकार ने भारत के राजपत्र, भाग II, खण्ड 3, उपखण्ड (ii), तारीख 24 अगस्त, 1996 के पृष्ठ सं. 3186 से 3187 पर प्रकाशित भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की, पेट्रोलियम और खनिज पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (i) के अधीन जारी की गई अधिसूचना सं. का.आ. 2472, तारीख 13 अगस्त, 1996 द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन करने के अपने आशय की सूचना दी थी।

केन्द्रीय सरकार का ध्यान राजपत्र में प्रकाशित उक्त अधिसूचना में मुद्रण की कुछ त्रुटियों की ओर आकर्षित किया गया है।

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 3 की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिसूचना से संलग्न अनुसूची में निम्नलिखित संशोधन करती है, अर्थात्:—

“हिन्दी पाठ मही है, संशोधन की आवश्यकता नहीं है।”

भूमि जिसके संबंध में उपयुक्त संशोधन जारी किया गया है, में हितवद्ध कोई व्यक्ति, इस अधिसूचना के जारी किये जाने के इक्कीस दिन के भीतर, उक्त भूमि या ऐसी भूमि में या पर किसी अधिकार के, उक्त अधिनियम की धारा 5 की उपधारा (i) के अनुसार, पूर्णतया या किसी भाग के अर्जन के प्रति आक्षेप कर सकेगा।

स्पष्टीकरण—उक्त भूमि, सर्वेक्षण सख्याओं और हम अधिसूचना द्वारा संशोधित क्षेत्र के संबंध में, उक्त अधिनियम की धारा 5 की उपधारा (i) में उल्लिखित इक्कीस दिन की अवधि, इस अधिसूचना के जारी किये जाने की तारीख से संगणित की जाएगी।

[फाइल सं. आर-31015/19/96-ओ आर-II]

के.सी. कटोच, अव्वर सचिव

### MINISTRY OF PETROLEUM AND NATURAL GAS

New Delhi, the 16th October, 1996

S.O. 3121.—Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas No. S.O. 2472, dated the 24th August, 1996, published in the Gazette of India Part II, Section 3, Sub-section (ii), at pages 3188 to 3189, issued under sub-section (1), of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government gave notice of its intention to acquire the right of user in the lands specified in the Schedule appended to that notification;

And whereas, it has been brought to the notice of the Central Government that certain errors of printing nature have occurred in the publication of the said notification in the Gazette;

Now, therefore, in exercise of the powers conferred by sub-section (i) of Section 3 of the said Act, the Central Government hereby amends the Schedule appended to the said notification as follows, namely:—

- (i) at page 3188, in village Bagodra, in column 2, for survey number “146/8” read “156/6”;
- (ii) at page 3188, in village Bagodra in column 2, for survey number “92/14/9” read “93/14/9”;
- (iii) at page 3188, in village Bagodra in column 2, for survey number “94/14/10” read “93/14/10”;
- (iv) at page 3188, in village Bagodra in column 2, for survey number “92/14/9” read “93/14/93”;
- (v) at page 3189, in village Bagodra in column 2, for survey number “981” read “98/1”.

Any person interested in any land in respect of which the above amendment has been issued, may within twenty one days of issue of this notification, object to the acquisition of the whole or any part of the said land or any right in or over such land in terms of sub-section (1) of section 5 of the said Act.

Explanation.—In respect of the lands, survey numbers and area amended through this notification the said period of twenty one days in terms of sub-section (1) of Section 5 of the said Act shall start running from the date of issue of this notification.

[File No R-31015/19/96-OR.II]

K. C. KATOCH, Under Secy.

नई दिल्ली, 16 अक्टूबर, 1996

का.आ 3122.—केन्द्रीय सरकार ने, भारत के राजपत्र, भाग 2, खण्ड 3, उपखण्ड (ii) तारीख 24 अगस्त, 1996 के पृष्ठ सं. 3185 पर प्रकाशित भारत सरकार के पेट्रो-

नियम और प्राकृतिक गैस संसालय की, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (i) के अधीन की गई अधिसूचना सं. का.प्र. 2471 तारीख 13 अगस्त 1996 द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन करने के अपने आशय की सूचना दी थी।

केन्द्रीय सरकार का ध्यान राजपत्र में प्रकाशित उक्त अधिसूचना के प्रकाशन में मुद्रण की कुछ त्रुटियों की ओर आकषित किया गया है ;

अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 3 की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिसूचना से संलग्न अनुसूची में निम्नलिखित संशोधन करती है अर्थात् :—पृष्ठ 3185 ग्राम जनशाली के स्तंभ सं. 5 के नीचे सर्वेक्षण सं. 106 के सामने “59” के स्थान पर “50” पढ़े।

भूमि जिसके संबंध में उपयुक्त संशोधन जारी किया गया है, में हितवद् कोई व्यक्ति इस अधिसूचना के जारी किए जाने के इक्कीस दिन के भीतर, उक्त भूमि या ऐसी भूमि में या पर किसी अधिकार के, उक्त अधिनियम की धारा 5 की उपधारा (1) के अनुसार पूर्णतया या किसी भाग के अर्जन के प्रति आक्षेप कर सकेगा।

स्पष्टीकरण—उक्त भूमि, सर्वेक्षण संख्याओं और इस अधिसूचना द्वारा संशोधित क्षेत्र के संबंध में, उक्त अधिनियम की धारा 5 की उपधारा (i) में उल्लिखित इक्कीस दिन की अवधि इस अधिसूचना के जारी किए जाने की तारीख से संगणित की जाएगी।

[फाइल सं. आर. 31015/20/96-प्रो.आर-II]  
के. सी. कटोच, अवर सचिव

New Delhi, the 16th October, 1996

S.O. 3122.—Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas No. S.O. 2471, dated the 13th August, 1996, published in the Gazette of India, Part II, Section 3, Sub-section (ii), at pages 3186, issued under sub-section (1) of Section 3 of the Petroleum and Minerals pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government gave notice of its intention to acquire the right of user in the lands specified in the Schedule appended to that notification;

And whereas, it has been brought to the notice of the Central Government that certain errors of printing nature have occurred in the publication of the said notification in the Gazette;

Now, therefore, in exercise of the powers conferred by sub-section (i) of Section 3 of the said Act, the Central Government hereby amends the Schedule appended to the said notification as follows, namely:—

at page 3186, in village Tansali, in column 3, against survey number 87, for “g” read “0”.

Any person interested in any land in respect of which the above amendment has been issued, may within twenty one

days of issue of this notification, object to the acquisition of the whole or any part of the said land or any right in or over such land in terms of sub-section (1) of Section 3 of the said Act.

Explanation.—In respect of the lands, survey numbers and area amended through this notification the said period of twenty one days in terms of sub-section (1) of Section 5 of the said Act shall start running from the date of issue of this notification.

[File No. R-31015/20/96-OR-II]

K. C. KATOCH, Under Secy.

नई दिल्ली, 24 अक्टूबर, 1996

का.प्र. 3123—पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 के उपधारा (i) के अधीन भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना का.प्र. 445(प्र) तारीख 13-8-96 द्वारा भारत सरकार ने उस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमियों के अधिकार को पाइपलाइन बिछाने के लिये अर्जित करने का आशय घोषित किया था।

अतः सधम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दी है।

तत्पश्चात् भारत सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए भारत सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिये एतद्वारा अर्जित किया जाता है।

इस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए भारत सरकार निवेश देती है कि उक्त भूमियों में अधिकार प्राप्त सरकार में निहित होने के बजाय गैस अथारिटी आफ इंडिया लिमिटेड में सभी बाधाओं से मुक्त रूप से घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

बसेरा-आगरा और किरोजाबाद स्पर गैस लाइन

ग्राम-धुस्यारी तहसील-भरतपुर जिला-भरतपुर(राज.)

नाम-ग्राम	खसरा	क्षेत्रफल		
		हेक्टर	एकर	वर्ग मीटर-
1	2	3	4	5
धुस्यारी तह. भरतपुर	100	—	—	72
	101	—	7	74
	102	—	1	80
	103	—	5	22
	104	—	—	36
	109	—	—	54
	110	—	6	84
	111	—	3	42
	112	—	1	80
	123	—	—	18
	124	—	5	58

1	2	3	4	5	1	2	3	4
	125	—	3	6		2171	—	6 48
	131	—	21	70		2172	—	11 88
	132	—	3	78		2173	—	36
	141	—	1	62		2271	—	3 78
	142	—	4	86		2272	—	6 84
	144	—	5	22		2273	—	54
	145	—	6	48		2311	—	14 40
	148	—	8	10		2312	—	36
	149	—	—	18		2315	—	2 16
	156	—	1	80		2316	—	9 0
	167	—	0	72		2317	—	54
	602	—	—	90		2373	—	72
	604	—	1	62		2380	—	8 10
	605	—	3	24		2390	—	36
	605	—	4	32		2001	—	7 80
	607	—	—	90		2392	—	1 80
	609	—	1	44		2411	—	1 8
	701	—	13	32		2412	—	6 30
	704	—	4	68		2413	—	36
	703	—	—	54		2414	—	2 70
	705	—	8	10		2420	—	54
	706	—	3	6		2421	—	2 70
	707	—	—	36		2422	—	1 80
	709	—	11	16		2426	—	6 66
	710	—	1	44		2427	—	7 58
	756	—	5	76		2429	—	1 80
	757	—	1	44		2430	—	5 40
	801	—	1	80		2434	—	2 16
	802	—	8	64		2435	—	2 52
	804	—	9	72		2438	—	90
	807	—	9	72		2439	—	7 20
	828	—	9	54		2456	—	4 14
	829	—	16	2		2493	—	54
	831	—	2	88		2496	—	6 30
	864	—	—	36		2497	—	90
	867	—	8	10		2498	—	8 10
	868	—	4	32		2499	—	1 44
	869	—	8	10		2505	—	36
	870	—	4	14		2506	—	9 36
	876	—	—	18		2508	—	3 60
	879	—	7	56		2518	—	1 8
	881	—	8	64		2519	—	7 20
	882	—	—	90		2520	—	6 84
	883	—	7	56		2529	—	4 86
						2530	—	7 20
		2	71	18		2536	—	36
						2537	—	9 90
						2538	—	1 80
						2540	—	54
						2545	—	9 36
						2546	—	90
						2547	—	9 36
						2556	—	6 30
						2558	—	4 68
						2559	—	90
इकरत सहसील भरतपुर	2095	—	—	72				
	2155	—	1	8				
	2156	—	2	70				
	2157	—	—	18				
	2158	—	3	60				
	2159	—	8	10				
	2160	—	—	36				
	2170	—	6	48				

1	2	3	4	5	1	2	3	4	5
	2560	--	7	56		315	---	10	8
	2561	--	1	26		316	---	4	14
	2562	---	5	76		317	---	7	92
	2564	---	3	24		318	---	---	18
	2567	---	---	36		328	---	2	88
	2833	---	---	90		329	---	3	78
	2834	--	3	24		330	---	---	18
	2835	---	1	26		44/985	---	7	20
	3836	--	2	34				1	68
	2837	--	---	54				---	84
	2844	--	---	90	नूरपुर तहसील-भरतपुर	765	---	5	4
	2846	---	6	48		768	---	7	20
	2847	---	6	30		769	---	15	66
	2848	---	1	80	योग	3	---	27	90
	2851	---	---	36					
	2852	---	2	52	पिडियानी तह. भरतपुर	62	---	1	44
	2853	--	5	76		63	---	---	72
	2854	--	3	96		65	---	4	14
	2855	---	1	26		67	---	---	18
	3519/2034	---	---	18		83	---	---	54
		---	3	96		85	---	1	62
		3	13	38		86	---	8	64
चारलीगंज तहसील भरतपुर	18	---	2	70		87	---	---	36
	19	---	6	48		88	---	9	0
	20	---	5	58		89	---	7	56
	21	---	---	90		92	---	14	58
	25	---	---	72		99	---	8	46
	27	---	---	54		100	---	9	0
	28	---	6	30		101	---	2	34
	29	---	1	80		105	---	9	0
	30	---	---	54		107	---	10	80
	31	---	6	84		108	---	---	36
	32	---	5	40		109	---	6	30
	33	---	---	18		110	---	---	90
	36	---	2	52		124	---	2	16
	40	---	4	32		129	---	2	34
	59	---	4	86		130	---	13	86
	63	---	---	18		131	---	---	54
	64	---	7	20		152	---	7	38
	65	---	6	30		153	---	6	12
	66	---	3	96		154	---	---	90
	67	---	9	90		155	---	10	80
	68	---	---	90		156	---	1	8
	76	---	---	18		158	---	2	70
	78	---	---	54		161	---	6	30
	79	---	9	0		162	---	18	0
	80	---	10	80		163	---	1	8
	81	---	3	60		357	---	7	74
	82	---	5	76		358	---	2	34
	306	---	2	88		360	---	7	38
	307	---	9	36		424	---	---	54
	311	---	8	64		431	---	10	8
	312	---	3	60		432	---	---	90
						433	---	1	80

1	2	3	4	5
विडियानी--(जारी)	437	---	4	86
त. भरतपुर--(जारी)	438	---	10	80
	442	---	6	70
	443	---	8	46
	444	---	2	34
	445	---	1	80
	446	---	5	94
	447	---	---	54
	459	---	---	18
	460	---	10	80
	461	---	3	60
	464	---	3	96
	465	---	8	10
	469	---	3	96
	470	---	8	10
	473	---	---	72
	474	---	3	78
	586	---	2	88
	592	---	8	10
	593	---	9	0
	594	---	9	72
	597	---	2	34
	598	---	10	8
	600	---	---	54
	602	---	3	24
	603	---	2	88
	604	---	---	90
	615	---	---	54
		3	30	84

ग्राम-बहेरा तहसील-भरतपुर जिला-भरतपुर (राज.)

नाम-ग्राम	खसरा नं.	क्षेत्रफल		
		हेक्टर	ऐयर	वर्ग मीटर
बहेरा तह. भरतपुर	565	---	1	80
	566	---	3	60
	2	---	5	40

[सं० एल-14016/04/96-जी.पो.]

अर्थ-मु. सेन, निदेशक

New Delhi, the 24th October, 1996

S.O. 3123.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. No. 445(E) dated 13-6-1996 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for the purpose of laying pipeline;

And whereas the Competent Authority has under Sub-Section (1) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said land specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Gas Authority of India Ltd. free from all encumbrances.

#### SCHEDULE

#### BAJHERA TO AGRA AND FIROZABAD SPUR GAS PIPELINE

Name of Village : Ghushiari Teh. & Distt. Bharatpur (Raj.)

Name of Village	Khasra No.	Area		
		Ha.	Ayar	Sq. M tr.
1	2	3	4	5
Ghushiari	100	..	..	72
Bharatpur	101	..	7	74
	102	..	1	80
	103	..	5	22
	104	..	..	36
	109	..	..	54
	110	..	6	84
	111	..	3	42
	112	..	1	80
	123	..	..	18
	124	..	5	58
	125	..	3	6
	131	..	21	70
	132	..	3	78
	141	..	1	62
	142	..	4	86
	144	..	5	22
	145	..	6	48
	148	..	8	10
	149	..	..	18
	156	..	1	80
	157	..	9	72
	602	..	..	90
	604	..	1	62
	605	..	3	24
	606	..	4	32
	607	..	..	90
	609	..	1	44
	701	..	13	32
	702	..	4	68
	703	..	..	54
	705	..	8	10
	706	..	3	6
	707	..	..	36
	709	..	11	16
	710	..	1	44
	756	..	5	76
	757	..	1	44

[illegible]

1	2	3	4	5	1	2	3	4	5
	79	..	9	0		155	—	10	80
	80	..	10	80		156	..	1	8
	81	..	3	60		158	..	2	70
	82	..	5	76		161	..	6	30
	306	..	2	88		162	..	18	0
	307	..	9	36		163	..	1	8
	311	..	8	64		357	..	7	74
	312	..	3	60		358	..	2	34
	315	..	10	8		360	..	7	38
	316	..	4	14		424	..	..	54
	317	..	7	92		431	..	10	8
	318	..	..	18		432	..	..	90
	328	..	2	88		433	..	1	80
	329	..	3	78		437	..	4	88
	330	..	..	18		438	..	10	80
	44/985	..	7	20		442	..	2	70
		1	68	84		443	..	8	46
1	2	3	4	5		444	..	2	34
Noorpur	765	..	5	4		445	..	1	80
Teh. Bharatpur	766	..	7	20		446	..	5	94
	769	..	15	66		447	..	..	54
Total	3		27	90		459	..	..	18
1	2	3	4	5		460	..	10	80
Pidyanl Bharatpur	62	..	1	44		461	..	3	60
	63	..	..	72		464	..	3	96
	65	..	4	14		465	..	8	10
	67	..	..	18		469	..	3	96
	83	..	..	54		470	..	8	10
	85	..	1	62		473	..	..	72
	86	..	8	64		474	..	3	78
	87	..	..	36		586	..	2	88
	88	..	9	0		592	..	8	10
	89	..	7	56		593	..	9	0
	92	..	14	58		594	..	9	72
	99	..	8	46		597	..	2	34
	100	..	9	0		598	..	10	8
	101	..	2	34		600	..	..	54
	105	..	9	0		602	..	3	24
	107	..	10	80		603	..	2	88
	108	..	..	36		604	..	..	90
	109	..	6	30		615	..	..	54
	110	..	..	90			3	30	84
	124	..	2	16	Bajhera	565	..	1	80
	129	..	2	34	Teh. Bharatpur	566	..	3	60
	130	..	13	86	Total	2		5	40
	131	..	..	54					
	152	..	7	38					
	153	..	6	12					
	154	..	..	90					

[No. L—14016/04/96-G.P.]  
ARDHENDU SEN, Directo

[No. L-14016/04/96-G.P.]

ARDHENDU SEN, Director

## स्वास्थ्य और परिवार कल्याण मंत्रालय

नई दिल्ली, 24 नवम्बर, 1996

का.आ. 3124.—केन्द्रीय सरकार, होम्योपैथी केन्द्रीय परिषद अधिनियम, 1973 (1973 का 59) की धारा 13 की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय होम्योपैथी परिषद से परामर्श करने के पश्चात् उक्त अधिनियम की द्वितीय अनुसूची में निम्नलिखित संशोधन करती है, अर्थात् —

उक्त अधिनियम की द्वितीय अनुसूची में उत्तर प्रदेश शीर्षक के नीचे क्रम सं. 15 व और संबंधित प्रविष्टियों के स्थान पर निम्नलिखित प्रविष्टियाँ रखी जाएंगी, अर्थात् —

1	2	3	4
15. ख. आगरा विश्वविद्यालय	बैचलर इन होम्योपैथिक मेडिसिन एंड सर्जरी	बी.एच.एम.एस.	1986 तथा इससे आगे
(क) नेशनल होम्योपैथिक मेडिकल कालेज, लखनऊ	यथोक्त	यथोक्त	यथोक्त
(ख) मीहून होम्योपैथिक मेडिकल कालेज, लखनऊ	यथोक्त	यथोक्त	यथोक्त
(ग) कानपुर होम्योपैथिक मेडिकल कालेज, कानपुर	यथोक्त	यथोक्त	यथोक्त
(घ) लाल बहादुर शास्त्री होम्योपैथिक मेडिकल कालेज, इलाहाबाद	यथोक्त	यथोक्त	यथोक्त
(ङ) डा. ब्रज किशोर होम्योपैथिक मेडिकल कालेज, फैजाबाद	यथोक्त	यथोक्त	यथोक्त
(च) तिलकधारी होम्योपैथिक मेडिकल कालेज, जीतपुर	यथोक्त	यथोक्त	यथोक्त
(छ) श्री दुर्गाजी होम्योपैथिक मेडिकल कालेज, आजमगढ़	यथोक्त	यथोक्त	यथोक्त
(ज) गाजीपुर होम्योपैथिक मेडिकल कालेज, गाजीपुर	यथोक्त	यथोक्त	यथोक्त
(झ) होम्योपैथिक मेडिकल कालेज, नगीना (बिजनौर)	यथोक्त	यथोक्त	यथोक्त
(ञ) के.जी.के. होम्योपैथिक मेडिकल कालेज, मुरादाबाद	यथोक्त	यथोक्त	यथोक्त

[सं. बी-27021/6/82-होम्यो.]

कैबल दास, अवर सचिव

टिप्पण.—सब अधिसूचना भारत के राजपत्र भाग 2, खण्ड 1 में का.आ. सं. 76, दिनांक 20 दिसम्बर, 1973 को अधिसूचित हुई थी, और तद् उपरान्त संशोधित हुई—

का.आ. 3325 दिनांक 4-11-1978

का.आ. 1617 दिनांक 26-02-1983

का.आ. 1481 दिनांक 12-03-1983

का.आ. 3099 दिनांक 21-06-1985

का.आ. 2048 दिनांक 24-03-1986

का.प्रा. 2270 दिनांक 24-05-1986  
 का.प्रा. 2449 दिनांक 01-08-1990  
 का.प्रा. 2502 दिनांक 01-08-1990  
 का.प्रा. 2002 दिनांक 21-08-1990  
 का.प्रा. 710 दिनांक 20-02-1992  
 का.प्रा. 891 दिनांक 05-03-1992  
 का.प्रा. 1210 दिनांक 23-04-1992  
 का.प्रा. 2669 दिनांक 25-09-1992  
 का.प्रा. 978 दिनांक 28-04-1993  
 का.प्रा. 1325 दिनांक 17-05-1994  
 का.प्रा. 2363 दिनांक 24-10-1994

भारत के राजपत्र भाग II, खण्ड 3 उपखण्ड (II) में प्रकाशित।

### MINISTRY OF HEALTH & FAMILY WELFARE

New Delhi, the 24th November, 1996

S.O.—3124—In exercise of the powers conferred by Sub-section (2) of section 13 of the Homoeopathy Central Council Act, 1973 (59 of 1973), the Central Government, after consulting the Central Council of Homoeopathy, hereby make the following amendment in the Second Schedule to the said Act, namely:—

In the Second Schedule to the said Act under the heading Uttar Pradesh for serial number 15B and the entries relating thereto, the following entries shall be substituted, namely:—

1	2	3	4
15B. Agra University	Bachelor in Homoeopathic Medicine and Surgery	B.H.M.S.	From 1986 onwards
(a) National Homoeopathic Medical College, Lucknow.	Bachelor in Homoeopathic Medicines and Surgery	B.H.M.S.	From 1986 onwards
(b) Mohan Homoeopathic Medical College, Lucknow.	Bachelor in Homoeopathic Medicines and Surgery.	B.H.M.S.	From 1986 onwards
(c) Kanpur Homoeopathic Medical College, Kanpur.	Bachelor in Homoeopathic Medicines and Surgery.	B.H.M.S.	From 1986 onwards
(d) Lal Bahadur Shastri Homoeopathic Medical College, Allahabad.	Bachelor in Homoeopathic Medicine and Surgery.	B.H.M.S.	From 1986 onwards
(e) Dr. Brij Kishore Homoeopathic Medical College, Faizabad.	Bachelor in Homoeopathic Medicine and Surgery.	B.H.M.S.	From 1986 onwards
(f) Tilak Dhari Homoeopathic Medical College, Jaunpur.	Bachelor in Homoeopathic Medicine and Surgery.	B.H.M.S.	From 1986 onwards
(g) Shri Durgaji Homoeopathic Medical College, Azamgarh.	Bachelor in Homoeopathic Medicine and Surgery.	B.H.M.S.	From 1986 onwards
(h) Ghazipur Homoeopathic Medical College, Ghazipur.	Bachelor in Homoeopathic Medicine and Surgery.	B.H.M.S.	From 1986 onwards
(i) Homoeopathic Medical College, Nagina (Bijnore).	Bachelor in Homoeopathic Medicine and Surgery.	B.H.M.S.	From 1986 onwards
(j) K.G.K. Homoeopathic Medical College, Moradabad.	Bachelor in Homoeopathic Medicine and Surgery.	B.H.M.S.	From 1986 onwards

[No.B-27021/6/82-Homoeo]  
 KANWAL DASS, Under Secy.

Note: The Principal Notification was notified in the Gazette of India Part 2, Section 1, vide S.O. No. 76 dated the 20th December, 1973 and subsequently amended by:

S.O. 3325 dated 04-11-1978

S.O. 1617 dated 26-02-1983

S.O. 1481 dated 12-03-1983

S.O. 3099 dated 21-06-1985  
 S.O. 2048 dated 24-03-1986  
 S.O. 2270 dated 24-05-1986  
 S.O. 2449 dated 01-08-1990  
 S.O. 2501 dated 01-08-1990  
 S.O. 2002 dated 21-08-1990  
 S.O. 710 dated 20-02-1992  
 S.O. 891 dated 05-03-1992  
 S.O. 1210 dated 23-04-1992  
 S.O. 2669 dated 24-09-1992  
 S.O. 978 dated 28-04-1993  
 S.O. 1325 dated 17-05-1994  
 S.O. 2363 dated 24-10-1994

Published in the Gazette of India Part II Section 3, Sub-Section (ii)

(स्वास्थ्य विभाग)

नई दिल्ली, 15 अक्टूबर, 1996

का.आ.--3125 केन्द्रीय सरकार, दन्त चिकित्सक अधिनियम, 1948 (1948 का 16) की धारा 10 की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारतीय दन्त परिषद से परामर्श करने के पश्चात् उक्त अधिनियम की अनुसूची के भाग 1 में निम्नलिखित और संशोधन करती है, अर्थात्:

उक्त अनुसूची के भाग 1 में, क्रम संख्यांक 42 और उससे संबंधित प्रविष्टियों के पश्चात् निम्नलिखित क्रम संख्यांक और प्रविष्टियां जोड़ी जाएंगी, अर्थात्:—

1	2	3
"43. कुवेम्पु विश्वविद्यालय, गिमोगा ।	(i) बेचलर आफ डेंटल सर्जरी	बी.डी.एस. कुवेम्पु
	(ii) निम्नलिखित विषयों में मास्टर आफ डेंटल सर्जरी	
	(क) पीरिओडीन्गिया	एम.डी.एस. (पीरिओडीन्गिया) कुवेम्पु
	(ख) कन्जर्वेटिव डेंटिस्ट्री	एम.डी.एस. (कन्जर्वेटिव डेंटिस्ट कुवेम्पु) ।
	(ग) ओरल एण्ड मैक्सिलो- फासिया	एम.डी.एस. (ओरल एण्ड मैक्सि- लोफासिया सर्जरी) कुवेम्पु
	(घ) आर्थोडोन्टिक्स	एम.डी.एस. (आर्थोडोन्टिक्स) कुवेम्पु
	(ङ) प्रोस्थेटिक डेंटिस्ट्री	एम.डी.एस. (प्रोस्थेटिक डेंटिस्ट्री) कुवेम्पु
	(च) ओरल मेडिसिन एण्ड रेडिओलाजी	एम.डी.एस. (ओरल मेडिसिन एण्ड रेडिओलाजी) कुवेम्पु"

ऊपर उल्लिखित अर्हताएं तभी मान्यताप्राप्त दन्त चिकित्सा अर्हताएं होगी जब वे 16 दिसम्बर, 1987 को या उसके पश्चात् प्रदान की गई हों।

[फा.सं. बी. 12018/5/95-पी.एम.एस.]

एच० एन० यादव, अवर सचिव

(Deptt. of Health)

## NOTIFICATION

New Delhi, the 15th October, 1996

S.O. 3125.—In exercise of the powers conferred by sub-section (2) of section 10 of the Dentists Act, 1948 (16 of 1948), the Central Government, after consulting the Dental Council of India, hereby makes the following further amendment in Part I of the Schedule to the said Act, namely:—

In Part I of the said Schedule, after serial number 42 and the entries relating thereto the following serial number and entries shall be added, namely:—

1	2	3
43 Kuvempu University, Shimoga.	(i) Bachelor of Dental Surgery. (ii) Master of Dental Surgery in: (a) Periodontia. (b) Conservative Dentistry. (c) Oral & Maxillofacial Surgery. (d) Orthodontics (e) Prosthetic Dentistry (f) Oral Medicine and Radiology,	B.D.S. Kuvempu. M.D.S. (Periodontia) Kuvempu. M.D.S. (Conservative) Dentistry Kuvempu. M.D.S. (Oral and Maxillofacial Surgery), Kuvempu. M.D.S. (Orthodontics) Kuvempu. M.D.S. (Prosthetic Dentistry) Kuvempu. M.D.S. (Oral Medicine Radiology) Kuvempu.

The above mentioned qualifications shall be the recognised dental qualifications when granted on or after 16th December, 1987.

[F.No.V-12018/5/95-PMS]

H. N. YADAV, Under Secy.

नागरिक पुति, उपभोक्ता मामले और सार्वजनिक वितरण मंत्रालय

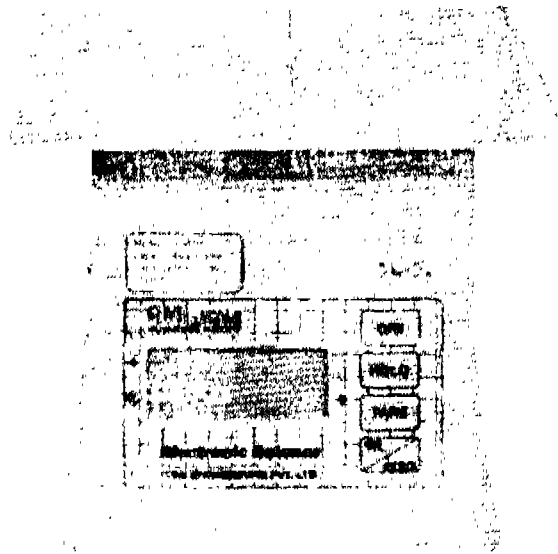
नई दिल्ली: 30 अक्टूबर, 1996

का.आ. 3126.—केन्द्रीय सरकार का विहित प्राधिकारी द्वारा निवेदित रिपोर्ट (नीचे आकृति देखिए) पर विचार करने के पश्चात्, समाधान हो गया है कि उक्त रिपोर्ट में वर्णित माडल बाट और माप मानक अधिनियम 1976 (1976 का 60) और बाट और माप मानक (माडल का अनुमोदन) नियम, 1987 के उपबन्धों के अनुरूप है और इस बात की संभावना है कि वह लगातार प्रयोग की अवधि में यथार्थता बनाये रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा देता रहेगा ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 उपधारा (7) और उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यथार्थता वर्ग III के जे.एस.ई. 0005 टाइप के अंकीय संप्रवर्ण करने वाले स्वतःसूचक और गैर-स्वचालित टेबलटाप तोलन उपकरण के माडल का (जिसे इसमें इसके पश्चात् माडल कहा गया है) जिसका विनिर्माण मैसर्स जी.एम. आई. इंजीनियरिंग प्राइवेट लिमिटेड, 33-ए, चौरिघी रोड, कलकत्ता द्वारा किया गया है और जिने अनुमोदन चिन्ह आई. एन. डी. /09/95/31 समनुदिष्ट किया गया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है।

माडल (आकृति देखिए) मध्यम यथार्थता (यथार्थता वर्ग III) का तोलन उपकरण है जिसकी अधिकतम क्षमता 5 किलोग्राम और न्यूनतम क्षमता 100 ग्राम है। सत्यापन मापमान अन्त (ई) 5 ग्राम है। इसमें एक डेयर व्यक्ति है जिसका व्यक्ति-नात्मक प्रतिधारित डेयर प्रभाव 100 प्रतिशत है। आधार और प्लेटफार्म धात्विक है। भारग्राही आयताकार आकृति का है

जिसका पात्र 230—170 मिलीमीटर है। यह 25 मिलीमीटर आकार का संप्रतीक प्रकाश उत्सर्जन डायोड संप्रदर्श तोल परिणाम उपदर्शित करता है। यह उपकरण 12 बोर्ड प्रत्यावर्ती धारा विद्युत प्रवाय पर प्रचालित होता है।



(आकृति)

आगे, केन्द्रीय सरकार, उक्त धारा की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि माडल के अनुमोदन के इस प्रमाण पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त के अनुसार और उसी सामग्री से, जिससे अनुमोदित माडल का विनिर्माण किया गया है विनिर्मित 2 किलोग्राम/1 ग्राम, 4 किलोग्राम/2 ग्राम, 5 किलोग्राम/2 ग्राम, 10 किलोग्राम/5 ग्राम और 20 किलोग्राम/10 ग्राम की अधिकतम क्षमता वाले समरूप मैन. यथार्थता और उल्टी स्पीज के कार्यकरण वाले तोलन उपकरण भी हैं।

[फा.सं. डब्ल्यू. एम-21(44)/93]

राजीव श्रीवास्तव, संयुक्त सचिव

#### MINISTRY OF CIVIL SUPPLIES, CONSUMER AFFAIRS AND PUBLIC DISTRIBUTION

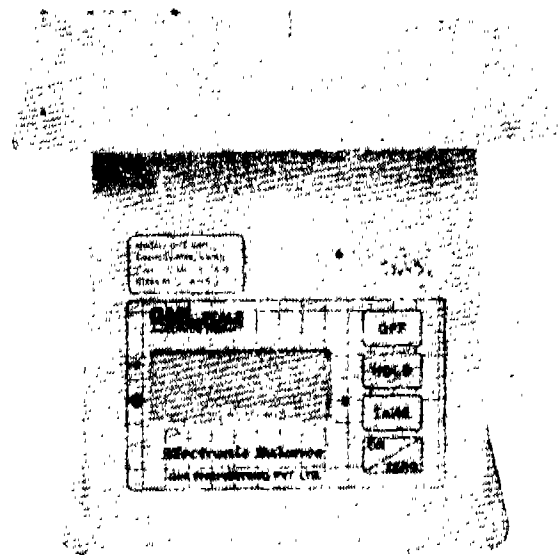
New Delhi, the 30th October 1996

S.O 3125 —Whereas, the Central Government, after considering report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by subsection (7) and (8) of section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the Model of the self-indicating non-automatic table top weighting instrument with digital display of type GSS 0005 of accuracy class III (herein after referred to as the Model) manufactured by M/s GMI Engineering Pvt. Ltd., 33, A Chowringhee Road, Calcutta-71 and which is assigned the approval mark IND/09/95/31;

The Model (see figure) is a medium accuracy (accuracy class III) weighing instrument with a maximum capacity of 5 Kilogram and minimum capacity of 100 gram. The verification scale interval (e) is 5 gram. It has a tare device with a 100 per cent subtractive retained tare effect. The base and the plat form are metallic. The

load receptor is of rectangle shape of sides 230x170 millimetre. The LED display of character size 25 millimetre indicates the weighing result. The instrument operates on 12 volts, direct current-power supply.



(figure)

Further, in exercise of the powers conferred by sub-section (12) of the said section, the Central Government hereby declares that this certificate of approval of the Model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity of 2kg/1g, 4kg/2g, 5kg./2g, 10kg/5g and 20Kg./10g manufactured by the same manufacture in accordance with the same principle, design and with the same materials with which, the approved Model has been manufactured.

[F. No. WM-21 (44) / 93]

RAJIV SRIVASTAVA Jt. Secy.

नई दिल्ली, 30 अक्टूबर 1996

का.आ. 3127.—केन्द्रीय सरकार का विहित प्राधिकारी द्वारा निवेदित रिपोर्ट (नीचे आकृति देखिए) पर विचार करने के पश्चात्, समाधान हो गया है कि उक्त रिपोर्ट में वर्णित माडल बाट और माप मानक अधिनियम, 1976 (1976 का 60) और बाट और माप मापक (माडल का अनुमोदन) नियम, 1987 के उपबन्धों के अनुरूप है और इस बात की संभावना है कि वह लगातार प्रयोग की अवधि में यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा देता रहेगा।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 उपधारा (7) और उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यथार्थता वर्ग III के जे.एस.ई. 0600 टाइप के सक्रिय संप्रवर्ण करने वाले स्वतःसूचक गैर-स्वचालित टेबलटाप तोलन उपकरण के माडल का (जिसे इसमें इसके पश्चात् माडल कहा गया है) जिसका विनिर्माण मैसर्स जी.एम.आई. इंजीनियरिंग प्राइवेट लिमिटेड, 33-ए, चौरिषी रोड, कन्नकता द्वारा किया गया है और जिसे अनुमोदन चिन्ह आई.एन.डी./09/95/32 समनुदिष्ट किया गया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है।

माडल (आकृति देखिए) एक मध्यम यथार्थता (यथार्थता वर्ग III) का तोलन उपकरण है जिसकी अधिकतम क्षमता 600 ग्राम और न्यूनतम क्षमता 2 ग्राम है। सत्यापन मापमान अंतर (ई) 0.1 ग्राम है। इसमें एक टेयर युक्ति है जिसका व्यक्तनात्मक प्रतिधारित टेयर प्रभाव 100 प्रतिशत है। आधार और प्लेटफार्म धात्वि है। भारप्राप्ति वृत्ताकार आकृति

का है जिसका अर्धव्यास 150 मिलीमीटर है। यह 12.5 मिलीमीटर आकार का प्रतिदीप्तिशील संश्लेषीक संप्रदर्श तोल परिणाम उपदर्शित करता है। यह उपकरण 9 वोल्ट की बाल्यावर्ती द्वारा विद्युत प्रदाय पर प्रचालित होता है।



(आकृति)

आगे केन्द्रीय सरकार, उक्त धारा की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि माडल के अनुमोदन के इस प्रमाण पत्र के अन्तर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त के अनुसार और उसी सामग्री से, जिससे अनुमोदित माडल का विनिर्माण किया गया है विनिर्मित 30 किलोग्राम/5 ग्राम, 20 किलोग्राम/5 ग्राम, 10 किलोग्राम/2 ग्राम और 5 किलोग्राम/1 ग्राम की अधिकतम क्षमता वाले समरूप सैक, यथार्थता और उसी सिरीज के कार्यकरण वाले तोलन उपकरण भी हैं।

[फा.सं. डब्ल्यू.एम. 21(44)/93]

राजीव श्रीवास्तव, संयुक्त सचिव

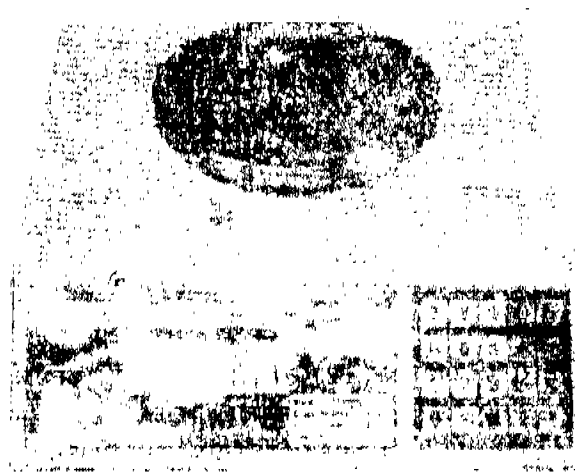
New Delhi, the 30th October 1996

S.O.3127.—Whereas the Central Government after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain accuracy over period of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-section (7) and (8) of section 36 of the said Act, the Central Government hereby publishes the certificates of approval of the Model of the self-indicating non-automatic table top weighing instrument with digital display of type JSE 06000 of accuracy class III (herein-after referred to as the Model) manufactured by M/s GMI Engineering Pvt. Ltd., 33, A Chowringhee, Calcutta-71 and which is assigned the approval mark IND/09/95/32;

The Model (see figure) is a medium accuracy (accuracy class III) weighing instrument with a maximum capacity of 600 gram and minimum capacity of 2 gram. The verification scale interval (e) is 0.1 gram. It has a tare device with a 100 per cent subtractive retained tare effect. The base and the plat form are metallic. The load re-

ceptor is of circular shape of radius 150 millimetre. The Fluorescent display of character size 12.5 millimetre indicates the weighing result. The instrument operates on 9 Volt direct current power supply.



(figure)

Further, in exercise of the powers conferred by sub-section (12) of the said section, the Central Government hereby declares that this certificate of approval of the Model shall also cover the weighing instrument of similar make accuracy and performance of same series with maximum capacity of 30kg/5g, 20kg/5g, 10kg/2g, and 5kg/1g manufactured by the same manufacturer in accordance with the same principle design and with the same materials with which, the approved Model has been manufactured.

[F. No. WM-21 (44) /93]

RAJIV SRIVASTAVA, Jt. Secy.

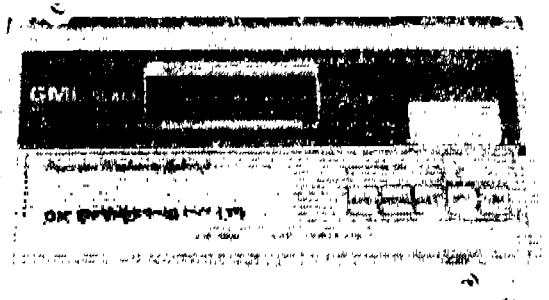
नई दिल्ली, 30 अक्टूबर, 1996

का.आ. 3128.—केंद्रीय सरकार का विहित प्राधिकारी द्वारा निवेदित रिपोर्ट (नीचे आकृति देखिए) पर विचार करने के पश्चात्, समाधान हो गया है कि उक्त रिपोर्ट में वर्णित माडल बाट और माप मानक अधिनियम 1976 (1976 का 60) और बाट और माप मानक (माडल का अनुमोदन) नियम, 1987 के उपबन्धों के अनुरूप है और इस बात की संभावना है कि वह लगातार प्रयोग की अवधि में यथार्थता बनाये रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा देता रहेगा ;

अतः केंद्रीय सरकार, उक्त अधिनियम की धारा 36 उपधारा (7) और उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मध्यम यथार्थता वर्ग II के जे.एस.ई. 5500 टाइप के अंकीय संप्रदर्श करने वाले स्वतः सूचक गैर-स्वचालित टेबलटाँप तोलन उपकरण के माडल का (जिसे इसमें इसके पश्चात् माडल कहा गया है) जिसका विनिर्माण मेसर्स जी.एम.आई. इंजीनियरिंग प्राइवेट लिमिटेड, 33-ए, चोवरिधी रोड, कलकत्ता द्वारा किया गया है और जिसे अनुमोदन चिन्ह आई. एन. डी./09/95/33 समनुद्दिष्ट किया गया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है।

माडल (आकृति देखिए) उच्च यथार्थता (यथार्थता वर्ग II) का तोलन उपकरण है जिसकी अधिकतम क्षमता 5.5 किलोग्राम और न्यूनतम क्षमता 100 ग्राम है। सत्यापन मापमान अंतर (ई) 0.5 ग्राम है। इसमें एक टेयर युक्ति है जिसका व्यकलनात्मक प्रतिधारित टेयर प्रभाव 100 प्रतिशत है। आधार और प्लेटफार्म घाटिबक है। भारग्राही आयताकार आकृति का है जिसका पाश्वर् 225×285 मिलीमीटर है। यह 15 मिलीमीटर आकार का प्रतिदीप्तिशील संप्रतीक संप्रदर्श

तोल परिणाम उपदर्शित करता है। यह उपकरण 230 वोल्ट, 50 हर्ट्ज के प्रत्यावर्ती धारा बिद्युत प्रवाय पर प्रचालित होता है।



आगे, केन्द्रीय सरकार, उक्त धारा की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि माडल के अनुमोदन के इस प्रमाण पत्र के अन्तर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त के अनुसार और उसी सामग्री से, जिससे अनुमोदित माडल का विनिर्माण किया गया है विनिर्मित 550 ग्राम/50 मिलीग्राम, 1100 ग्राम/100 मिलीग्राम, 2200 ग्राम/200 मिलीग्राम, 5500 ग्राम/500 मिलीग्राम, 11 किलोग्राम/1 ग्राम, 22 मिलीग्राम/2 ग्राम और 30 किलोग्राम/2 ग्राम की अधिकतम क्षमता वाले जे.एस.एस. सिरीज के 150 ग्राम/5 मिलीग्राम और 300 ग्राम/10 मिलीग्राम की अधिकतम क्षमता वाले और पी.एस.ई. सिरीज के 60 किलोग्राम/5 ग्राम की अधिकतम क्षमता वाले समरूप मैक, यथार्थता और उसी सिरीज के कार्यकरण वाले तोलन उपकरण भी है।

[फा.सं. डब्ल्यू. एम-21(44)/93]

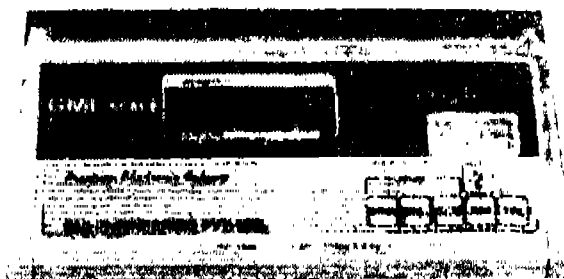
राजीव श्रीवास्तव, संयुक्त सचिव

New Delhi, the 30th October, 1996

S.O. 3128.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-section (7) and (8) of Section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the Model of the self-indicating non-automatic table top weighing instrument with digital display of type JSE 5500 of accuracy class II (herein after referred to as the Model) manufactured by M/s GMI Engineering Pvt. Ltd., 33-A, Chowringhee Road, Calcutta-71, and which is assigned the approval mark IND/09/95/33;

The Model (see figure) is a high accuracy (accuracy class II) weighing instrument with a maximum capacity of 5.5 kilogram and minimum capacity of 10 gram. The verification scale interval (e) is 0.5 gram. It has a tare device with a 100 percent subtractive retained tare effect. The base and the platform are metallic. The load receptor is of rectangle shape of sides 225×285 millimetre. The Fluorescent display of character size 15 Milli metre indicate the weighing result. The instrument operates on 230 volts, 59 hertz alternate current power supply.



Further, in exercise of the powers conferred by sub-section (12) of the said section, the Central Government hereby declares that this certificate of approval of the Model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity of 550 g/50 mg, 1100 g/100 mg, 2200 g/200mg, 5500 g/500 mg, 11 kg/1 g, 22kg/2 g, 30 kg/2 g, of JSS series with maximum capacity 150 g/5 mg, 300 g/10 mg, and PSE series with maximum capacity 60 kg/5 g Manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the approved Model has been manufactured.

[F. No. WM-21(44)/93]

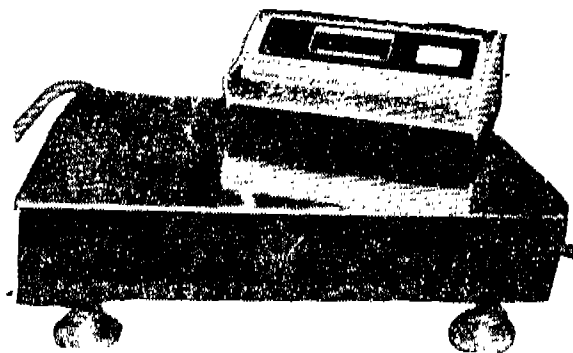
RAJIV SRIVASTVA, Jt. Secy.

नई दिल्ली, 30 अक्तूबर 1996

का.आ. 3129.—केन्द्रीय सरकार का विहित प्राधिकारी द्वारा निवेदित रिपोर्ट (नीचे आकृति देखिए) पर विचार करने के पश्चात् समाधान हो गया है कि उक्त रिपोर्ट में वर्णित माडल बाट और माप मानक अधिनियम, 1976 (1976 का 60) और बाट और माप मानक (माडल का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि वह लगातार प्रयोग की अवधि में यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा देता रहेगा;

अतः, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यथार्थता वर्ग-III के पी.एम.ई. 120 टाईप के श्रंकीय संप्रदर्श करने वाले स्वतःसूचक गैर-स्वचालित टेबलटॉप तोलन उपकरण के माडल का (जिसे इसमें इसके पश्चात् माडल कहा गया है) जिसका विनिर्माण मैसर्स जी.एम.आई. इंजीनियरिंग प्राइवेट लिमिटेड, 33-ए, चोवरिंधी रोड, कलकत्ता द्वारा किया गया है और जिसे अनुमोदन चिन्ह आई.एन.डी./09/95/34 समनु-दिष्ट किया गया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है।

माडल (आकृति देखिए) एक मध्यम यथार्थता (यथार्थता वर्ग III) का तोलन उपकरण है जिसकी अधिकतम क्षमता 60/120 किलोग्राम (द्वैत क्षमता) और न्यूनतम क्षमता 200 ग्राम है। स्थापन मापमान अन्तर (ई) 60 किलोग्राम तक 10 ग्राम तथा 60 किलोग्राम से उपर 20 ग्राम है। इसमें एक टेयर युक्ति है जिसका व्यकलनात्मक प्रतिधारित टेयर प्रभाव 100 प्रतिशत है। आधार और प्लेटफार्म धात्विक है। भारग्राही आयताकार आकृति का है जिसका पार्श्व 600 × 500 मिलीमीटर है। यह 15 मिलीमीटर आकार का प्रतिदीप्तिशील संप्रतीक संप्रदर्श तोल परिणाम उपदर्शित करता है। यह उपकरण 230 वोल्ट, 50 हर्ट्ज के प्रत्यावर्ती धारा विद्युत् प्रदाय पर प्रचालित होता है।



(आकृति)

अतः, केन्द्रीय सरकार, उक्त धारा की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि माडल के अनुमोदन के इस प्रमाण पत्र के अन्तर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त के अनुसार और उसी सामग्री से, जिससे अनुमोदित माडल का विनिर्माण किया गया है विनिर्मित 120 किलोग्राम/20 ग्राम, 300 किलोग्राम/50 ग्राम, 600 किलोग्राम/100 ग्राम, 1000 किलोग्राम/200 ग्राम और 2000 किलोग्राम/500 ग्राम की अधिकतम क्षमता वाले समरूप मैक, यथार्थता और उसी सिरिज के कार्यकरण वाले तोलन उपकरण भी हैं।

[फा.सं. डब्ल्यू. एम. 21(44)/93]

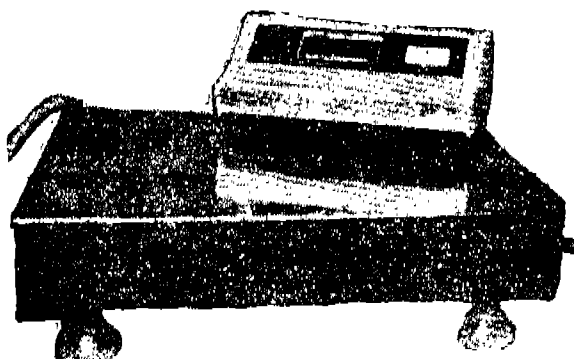
राजीव श्रीवास्तव, संयुक्त सचिव

New Delhi, 30th October, 1996

S. O. 3129.—Whereas, the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-section (7) and (8) of Section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the Model of the self-indicating non-automatic platform weighing instrument with digital display of type PSE 0120 of accuracy class III (hereinafter referred to as the Model) manufactured by M/s GMI Engineering Pvt. Ltd., 33-A, Chowringee Road, Calcutta-71 and which is assigned the approval mark IND/09/95/34;

The Model (see figure) is a medium accuracy (accuracy class III) platform weighing instrument with a maximum capacity of 60/120 kilogram (Dual range) and minimum capacity of 200 gram. The verification scale interval (e) is 10 gram upto 60 kg and 20 gram above 60 kg. It has a tare device with a 100 per cent subtractive retained tare effect. The base and the platform are metallic. The load receptor is rectangle shape of sides of 600×500 millimetre. The Fluorescent display of character size 15 millimetre indicates the weighing result. The instrument operates on 230 volts, 50 hertz alternate current power supply.



Further, in exercise of the powers conferred by sub-section (12) of the said section, the Central Government hereby declares that this certificate of approval of the Model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity of 120 kg/20 g, 300 kg/50 g, 600 kg/100 g, 1000 kg/200 g, and 2000 kg/500 g manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the approved Model has been manufactured.

[F. No. WM-21(44)/93]

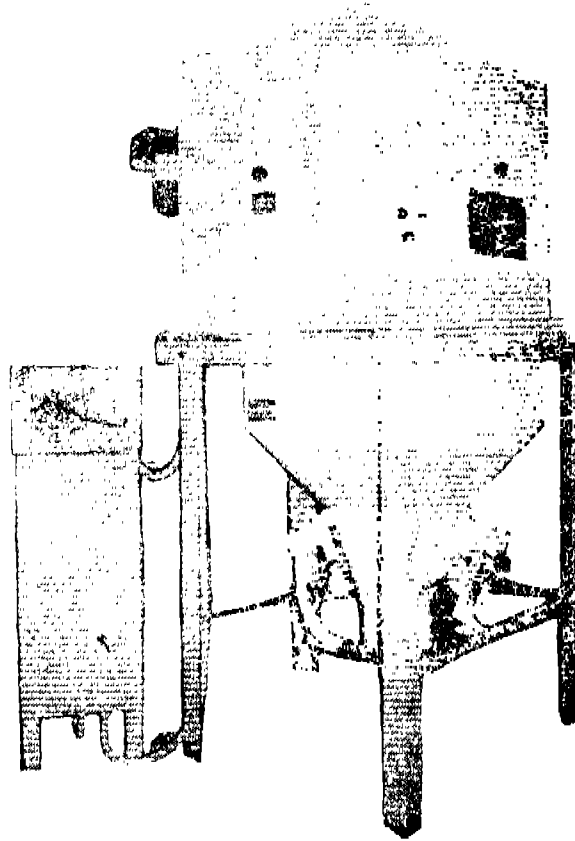
RAJIV SRIVASTAVA, Jt. Secy.

नई दिल्ली, 30 अक्टूबर, 1996

का.मा. 3130.—केन्द्रीय सरकार का विहित प्राधिकारी द्वारा उसे प्रस्तुत की गई रिपोर्ट पर विचार करने के पश्चात् समाधान हो गया है कि उक्त रिपोर्ट में वर्णित माडल (नीचे दी गई आकृति देखिए) बाट और माप मानक (माडल का अनुमोदन) नियम, 1987 के उपबन्धों के अनुरूप है और इस बात की संभावना है कि वह लगातार प्रयोग की अवधि में यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा देता रहेगा।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए एन डब्ल्यू-सपीई-25 सिरिज/टाइप के और "टाइको" ब्रांड नाम वाले स्वतः सूचक स्वचालित तोलन और भरण उपकरण के माडल का (जिसे इसमें इसके पश्चात् माडल कहा गया है) जिसका विनिर्माण मैसर्स टाइको (इंडिया) प्राइवेट लिमिटेड, सी-54/1, एम आई डी सी

एरिमा, नागपुर-440028 महाराष्ट्र राज्य द्वारा किया गया है और जिसे अनुमोदन चिह्न आई. एन. डी/09/96/31 समन्वेषित किया गया है, अनुमोदन प्रमाणपत्र प्रकाशित कर रही है ;



(आकृति)

माडल (आकृति देखिए) एक स्वचालित तोलन और बोरी भरण मशीन है जिसमें एक स्ट्रेन गेज टाइप लोड सेल तथा ग्रेविटी फ्रीड लगे हैं जो सूक्ष्म-प्रसंस्कारक द्वारा नियंत्रित होते हैं। मशीन को 10 ग्राम के लघुतम तोल संकेतन सहित 10 कि. ग्रा. और 50 कि. ग्रा. के बीच किसी रेंज का तोलन प्रदान करने के लिए समायोजित किया जा सकता है। तोलन की भराई और उठाई वातिलतः प्रचालित कैंट मेटों के माध्यम से ग्रेविटी पद्धति द्वारा की जाती है सूक्ष्म प्रसंस्कारक व्यष्टि लोड और कुल लोड किसी काल अवधि के दौरान 8 डिजिट 7 सेगमेंट प्रकाश उत्तर्जन डायोड पर रजिस्टर करता है। मशीन 110, 128, 220 या 238 वोल्ट की विद्युत बोल्टता 48—60 हर्टज की आवृत्ति पर कार्य करती है।

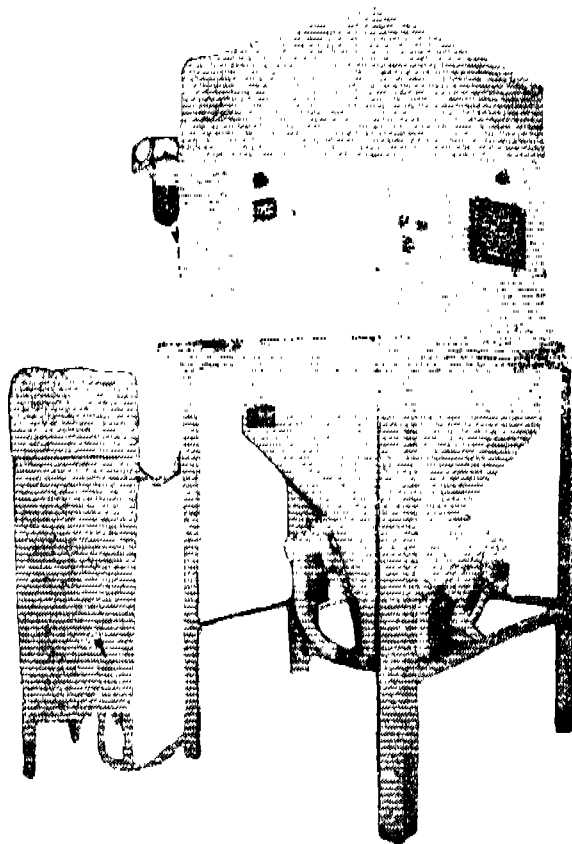
[फा.सं. डब्ल्यू.एस-21(28)/94]

राजीव श्रीवास्तव, संयुक्त सचिव

New Delhi, 30th October, 1996

S. O. 3130.—Whereas, the Central Government after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1907 and the said Model is likely to maintain accuracy over over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-section (7) of section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the Model of the self-indicating automatic weighing and bagging instrument of type NW-SP-E-25 series of and with brand name "TYCO", (hereinafter referred to as the model) manufactured by M/s Tycc (India) Private Limited, C-54/1, MIDC Area, Nagpur-440028, Maharashtra State, and which is assigned the approval mark IND/09/96/31;



The Model (see figure) is an automatic weighing and bagging machine incorporated with a strain gauge type load cell and gravity feed, controlled by micro-processor. The machine can be adjusted to deliver any range between 10 kg and 50 kg weighments with the smallest weight indication of 10 gram. Feed and discharge of weighing is carried out by gravity method through pneumatically operated catch gates. The micro aprocessor registers individual load and total load over a period of time on a 8 digit, 7 segment, LED display. The machine works at electrical voltage of 110, 128, 220 or 238 volts at frequency of 48—60 Hertz.

[File No. WM-21(28)/94]

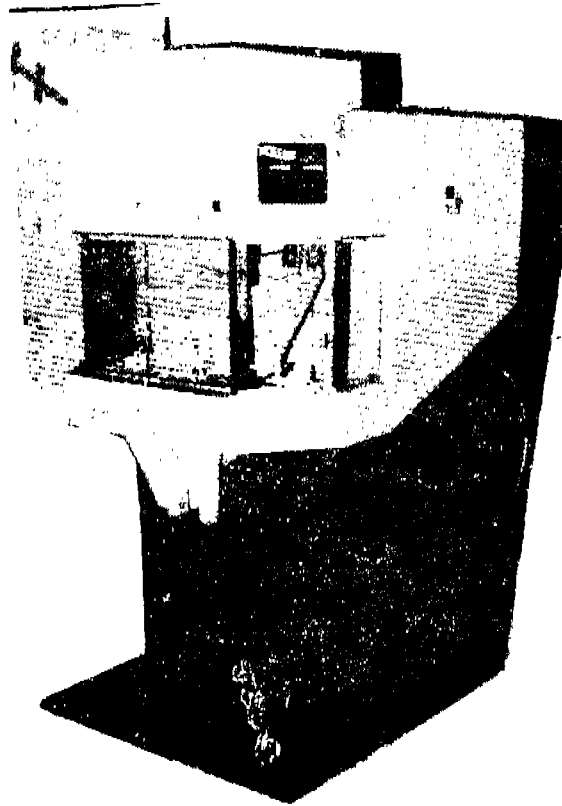
RAJIV SRIVASTAVA, Jt. Secy.

नई दिल्ली, 30 अक्तुबर, 1996

का.प्रा. 3131.—केन्द्रीय सरकार का विहित प्राधिकारी द्वारा उसे प्रस्तुत की गई रिपोर्ट पर विचार करने के पश्चात् समाधान हो गया है कि उक्त रिपोर्ट में वर्णित माडल (नीचे दी गई आकृति देखिए) बाट और माप मानक अधिनियम, 1976 (1976 का 60) और बाट और माप मानक (माडल का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि वह लगातार प्रयोग की अवधि में यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा देता रहेगा;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, पादसन्स सिरीज टाइप के "पादसन्स" ब्रांड नाम वाले स्वचालित भरण और पैकेजिंग उपकरण के माडल का (जिसे इसमें इसके पश्चात् माडल कहा गया है) जिसका विनिर्माण मीसर्स पादगिल्वर इलेक्ट्रिकल इंडस्ट्रीज (एण्डो डिजिजन) मंगलदास मार्केट, अकोला-444001;

महाराष्ट्र द्वारा किया गया है और जिसे अनुमोदन चिह्न आई.एन.डी. 09/96/32 समनुदेणित किया गया है, अनुमोदन प्रमाण-पत्र प्रकाशित करती है



(आकृति)

माडल (आकृति देखिए) एक किसी सुप्रवाही दानेदार सामग्री (अनाज) के तोलन में उपयुक्त स्वचालित भरवाई और थैली बंद करने वाली मशीन है। तोलन कार्य समतुल्य भुजा वाले क्षुर धारा लीवर क्रिया विधि द्वारा किया जाता है। सामग्री का भरण दो संभरकों जिसमें वातीयण में प्रचालित गटर लगे हैं द्वारा किया जाता है। नियंत्रक पैनल कपाट में एक यांत्रिक फलक लगा होता है जो किए गए कुल तोलन संख्यांक दर्ज और संप्रदर्श करता है। मशीन की अधिकतम क्षमता 5 कि.ग्रा. और न्यूनतम क्षमता 1 कि.ग्रा. है। मशीन की चयन क्षमता पूर्व सेट किए हुए फलक भार के साथ की जाती है। मशीन 230 वोल्ट 50 हर्टज के एकल विद्युत प्रदाय पर कार्य करती है।

[फाइल. सं. डब्ल्यू.एम 21(7)/96]

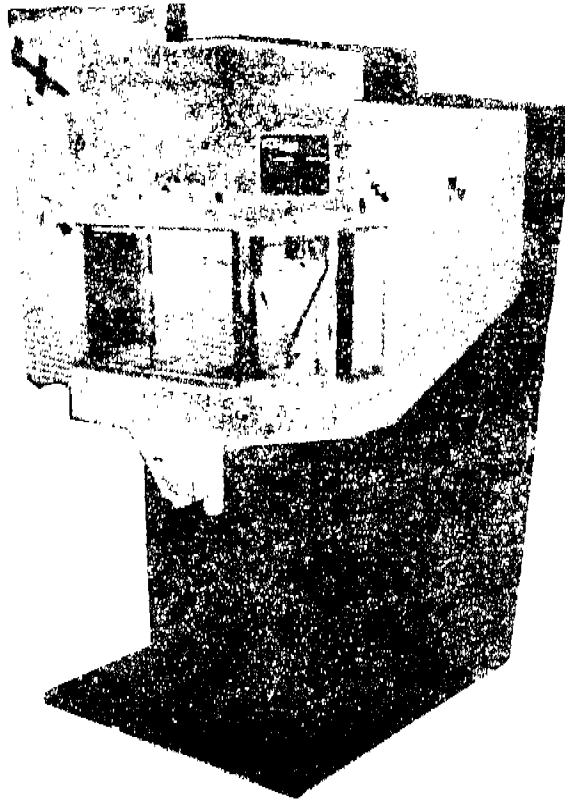
राजीव श्रीवास्तव, संयुक्त सचिव

New Delhi, 30th October, 1996

S. O. 3131.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority is satisfied that the Model described in the said report (see figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-section (7) of section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the Model of the automatic filling and packaging instrument of type PADSONS series and with brand name "PADSONS", (hereinafter referred to as the Model)

manufactured by M/s Padgilwar Electrical Industries, (Agro Division), Mangaldas Market, Akola-444001, Maharashtra, and which is assigned the approval mark IND/09/96/32;



(Figure)

The Model (see figure) is an automatic filling and bagging machine suitable to weigh any free flowing granule material (grain). The weighing is done by a knife edged lever mechanism of equal arm. The feeding of the material is done through two feeders provided with shutters operated pneumatically. A mechanical counter incorporated in the control panel does register and display total number of weighing made. The machine has a maximum capacity of 5 Kg. and minimum capacity of 1 kg. The capacity selection of the machine is done with pre-set with counter weights. The machine works on single phase power supply of 230 volts, 50 Hertz.

[File No. WM 21(7)/96]

Rajiv Srivastava, Jt. Secy.

जल-भूतल परिवहन मंत्रालय  
(परिवहन पक्ष)

नई दिल्ली, 29 अक्टूबर, 1996

का.आ. 3132—केन्द्र सरकार, गोदी कामगार (सलाह-कार समिति) नियमावली, 1962 के नियम 3 के साथ पठित गोदी कामगार (रोजगार का विनियमन) अधिनियम, 1948 (1948 का 9) की धारा 5 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारत सरकार, तत्कालीन परिवहन मंत्रालय (भूतल परिवहन विभाग) (परिवहन पक्ष) की दिनांक 1 नवम्बर, 1985 की अधिसूचना सं. का.आ. 800 (अ.) का अधि-

क्रमण करते हुए एतद्वारा एक सलाहकार समिति का गठन करती है जिसमें निम्नलिखित सदस्य शामिल होंगे अर्थातः :-

केन्द्र सरकार का प्रतिनिधित्व करने वाले सदस्य

1. सचिव, जल-भूतल परिवहन मंत्रालय —अध्यक्ष
2. संयुक्त सचिव (पत्तन) जल-भूतल परिवहन मंत्रालय
3. अध्यक्ष, कलकत्ता गोदी कामगार बोर्ड, कलकत्ता
4. अध्यक्ष, मद्रास गोदी कामगार बोर्ड, मद्रास
5. अध्यक्ष, विशाखापत्तनम गोदी कामगार बोर्ड, विशाखापत्तनम
6. अध्यक्ष, मुरगांव गोदी कामगार बोर्ड, मुरगांव

7. अध्यक्ष, कांडला गोदी कामगार बोर्ड, कांडला
8. अध्यक्ष, मुम्बई पत्तन न्यास, मुम्बई
9. अध्यक्ष, कोचीन पत्तन न्यास, कोचीन
10. महानिदेशक एफ ए एस एल आई (फ़ैक्टरी सलाहकार सेवा और श्रम संस्थान) मुम्बई

गोदी कामगारों का प्रतिनिधित्व करने वाले सदस्य :

1. श्री पी कृष्णैया, महासचिव, मद्रास बन्दरगाह कामगार संघ (ए आई टी यू सी)
2. श्री जी. कलान महासचिव, मद्रास पत्तन एवं गोदी कामगार कांग्रेस (आई एन टी यू सी)
3. श्री बी. वी. रामाराव अध्यक्ष, विशाखापत्तनम बन्दरगाह एवं पत्तन कामगार संघ (ए आई टी यू सी)
4. श्री एस. परशुराम, महासचिव, विशाखापत्तनम गोदी कामगार बोर्ड और गोदी कामगार संघ (एच एम एस)
5. श्री बाबूराव शंकर भोसले, महासचिव परिवहन एवं गोदी कामगार संघ, मुरगांव (एच एम एस)
6. श्री ए. ज. पीटर्स, अध्यक्ष, मुरगांव पत्तन एवं रेलवे कामगार संघ (एच एम एस)
7. श्री व्योमकेश शेटर्जी, कार्यकारी अध्यक्ष, पश्चिम बंगाल गोदी मजदूर संघ (आई एन टी यू सी)
8. श्री अमिताभ बेनर्जी, कलकत्ता पत्तन एवं गोदी औद्योगिक कामगार संघ (आईएनडी)
9. श्री एम एल बलानी, महासचिव परिवहन एवं गोदी कामगार संघ, कांडला (एच एम एस)
10. श्री रमाकांत डी. देशाई, उपाध्यक्ष, परिवहन एवं गोदी कामगार संघ, कांडला (एच एम एस)

गोदी कामगारों और नौवहन कम्पनियों के कर्मचारियों का प्रतिनिधित्व करने वाले सदस्य :

1. कप्तान देबिन्दर सिंह, निदेशक (लाइनर), भा.नौ. नि., आई.एन.एच.ए. (भारतीय राष्ट्रीय जहाज मालिक संघ), मुम्बई का प्रतिनिधित्व करने के लिए ।
2. कप्तान के. बी. अभ्रवाल, महाप्रबंधक (कन्टेनर प्रचालन लाइनर एवं यात्री सेवाएं) भा.न.नि.
3. श्री आर. प्रसाद, महाप्रबंधक (ब्लक कैरियर्स एवं टैंकर्स) भा.नौ.नि. ।
4. श्री एस.एन.राय, मुख्य कार्यपालक एवं कार्यकारी निदेशक, इस्तर शिपिंग लि.; मद्रास आई.एन.एस.ए. का प्रतिनिधित्व करने के लिए ।
5. श्री डी.एस. बोस, आयोजक, नाविक संघ सलाहकार समिति, कलकत्ता ।
6. श्री पी. राजेश्वर राव, सचिव, विशाखापत्तनम नाविक संघ ।
7. श्री टी. केशवन, अध्यक्ष, मुरगांव नाविक संघ ।

8. श्री एस.ए. जोषफ, प्रबंधक (नाविक) मै. बिस्नेस लि. मद्रास-1, मद्रास पत्तन नाविक संघ का प्रतिनिधित्व करने के लिए ।
9. श्री एन.सी. मेहता, कांडला नाविक संघ लि., न्यू कांडला ।
10. विदेशी नौवहन हितों का प्रतिनिधित्व करने के लिए महानिदेशक (नौवहन) द्वारा नामित एक प्रतिनिधि ।

[फा.सं. एन.बी.-13019/1/95-यू.एस.(एल.)]  
एस.के. दरगन, अवर सचिव

## MINISTRY OF SURFACE TRANSPORT

(Transport Wing)

New Delhi, the 29th October, 1996

S.O. 3132.—In exercise of the powers conferred by Section 5 of the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948) read with rule 3 of the Dock Workers (Advisory Committee) Rules, 1962, and in supersession of the Notification of the Government of India in the erstwhile Ministry of Transport (Department of Surface Transport) (Transport Wing) S.O. No. 800(E) dated 1st November, 1985, the Central Government hereby constitutes an Advisory Committee consisting of the following members, namely ;

## MEMBERS REPRESENTING THE CENTRAL GOVERNMENT :

1. The Secretary, Ministry of Surface Transport
2. The Joint Secretary (Ports), Ministry of Surface Transport
3. The Chairman, Calcutta Dock Labour Board, Calcutta
4. The Chairman, Madras Dock Labour Board, Madras
5. The Chairman, Visakhapatnam Dock Labour Board, Visakhapatnam
6. The Chairman, Mormugao Dock Labour Board, Mormugao
7. The Chairman, Kandla Dock Labour Board, Kandla
8. The Chairman, Mumbai Port Trust, Mumbai
9. The Chairman, Cochin, Port Trust, Cochin
10. The Director General, FASLI (Factory Advice Service and Labour Institute), Mumbai

**MEMBERS REPRESENTING THE DOCK WORKERS :**

1. Shri P. Krishn Lal, General Secretary, Madras Harbour Workers' Union (AITUC)
2. Shri G. Kalan,, General Secretary, Madras Port and Dock Workers' Congress (INTUC)
3. Shri V. V. Rama Rao, President, Visakhapatnam Harbour and Port Workers' Union (AITUC)
4. Shri S. Parasuram, General Secretary, Visakhapatnam Dock Labour Board and Dock Workers' Union (HMS)
5. Shri Baburao Shanker Bhosle, General Secretary, Transport and Dock Workers' Union, Mormugao (HMS)
6. Shri A. J. Peters, President, Mormugao Port and Railway Workers' Union (HMS)
7. Shri Byomkesh Chatterjee Working President, West Bengal Dock Mazdoor Union (INTUC)
8. Shri Amitabha Banerjee, Calcutta Port and Dock Industrial Workmen Union (IND)
9. Shri M. L. Bellani, General Secretary, Transport and Dock Workers' Union Kandla (HMS)
10. Shri Ramakant D. Desai, Vice-President Transport and Dock Workers' Union, Kandla (HMS)

**MEMBERS REPRESENTING EMPLOYERS OF DOCK WORKERS AND SHIPPING COMPANIES :**

1. Capt. Devinder Singh, Director (Liner) SCI representing INSA (Indian National Shipowners' Association), Mumbai
2. Capt. K. B. Agarwal, General Manager (Container Operations, Liner and Passenger Services) SCI
3. Shri R. Prasad, General Manager (Bulk Carriers and Tankers), SCI
4. Shri S. N. Roy, Chief Executive and Executive Director Essar Shipping Limited, Madras representing INSA
5. Shri D. S. Bose, Convenor, Consultative Committee of Stevedores' Association in Calcutta
6. Shri P. Rajeswara Rao, Secretary, Visakhapatnam Stevedores' Association
7. Shri T. Keshavan, President, Mormugao Stevedores' Association
8. Shri S. A. Joseph, Manager (Stevedoring), M/s. Binny Limited, Madras-01 representing Madras Port Stevedores' Association
9. Shri N. C. Mehta, Kandla Stevedores' Association Limited, New Kandla
1. A representative nominated by D.G. (Shipping) to represent Overseas Shipping Interests.

[F. No. LB-13019/1/95-US (L)]

S. K. DARGAN, Under Secy.

(परिवहन पक्ष)

नई दिल्ली, दिनांक 1 नवम्बर, 1996

का.आ. 3133.—केन्द्र सरकार, गोदी कामगार (रोजगार का विनियमन) नियमावली 1962 के नियम 4 के साथ पठित गोदी कामगार (रोजगार का विनियमन) अधिनियम, 1948 (1948 का 9) की धारा 5-क की उप-धारा (3) और (4) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए और भारत सरकार, जल-भूतल परिवहन मंत्रालय (परिवहन पक्ष) की दिनांक 19 फरवरी, 1992 की अधिसूचना सं. का.आ. 143(अ) का अधिक्रमण करते हुए, एतद्वारा निम्नलिखित व्यक्तियों को उक्त धारा 5क की उप-धारा (i) के तहत स्थापित विशाखापत्तनम गोदी कामगार बोर्ड का सदस्य नियुक्त करती है :—

केन्द्र सरकार का प्रतिनिधित्व करने वाले सदस्य :

1. अध्यक्ष, विशाखापत्तनम पत्तन न्यास, विशाखापत्तनम।
2. उपाध्यक्ष, विशाखापत्तनम गोदी कामगार बोर्ड, विशाखापत्तनम।

3. गोदी प्रबन्धक, विशाखापत्तनम पोर्टन न्यास, विशापात्तनम ।
4. श्री रवि कुमार, अधर सचिव, जल-भूतल परिवहन मंत्रालय नई दिल्ली ।

गोदी कामगारों का प्रतिनिधित्व करने वाले सदस्य :

- |                           |  |
|---------------------------|--|
| 1. श्री श्री. वी. रामाराय | विशाखापत्तनम डॉकवर्गाह एवं पोर्टन कामगार संघ के प्रतिनिधि ।      |
| 2. श्री जे. रामनायडु      |  |
| 3. श्री एस. परशुराम       | विशाखापत्तनम गोदी कामगार बोर्ड और गोदी कामगार संघ के प्रतिनिधि । |
| 4. श्री डी. के. शर्मा     |  |

गोदी कामगार और नौवहन कंपनियों के कर्मचारियों के प्रतिनिधित्व करने वाले सदस्य :

- |                              |  |
|------------------------------|--|
| 1. श्री के. गांगी रेड्डी     | ) विशाखापत्तनम नाविक संघ के प्रतिनिधि ।                      |
| 2. श्री एस. के. राय          | )  |
| 3. श्री टी. एस. राजेश्वरन    | ) विशाखापत्तनम कस्टम क्लियरिंग एजेंट एसोसिएशन के प्रतिनिधि । |
| 4. श्री. के. वी. कृष्ण कुमार | ) भारतीय राष्ट्रीय जहाज मालिक संघ के प्रतिनिधि ।             |

केन्द्र सरकार एतद्वारा विशाखापत्तनम पोर्टन न्यास के अध्यक्ष को उक्त बोर्ड का अध्यक्ष नियुक्त करती है ।

[फा.सं. 13014/4/96-यूएस (एल)]

एस. के. दरगन, अधर सचिव

New Delhi, the 1st November, 1996

"S.O.3133—In exercise of the powers conferred by sub-sections (3) and (4) of section 5A of the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948) read with Rule 4 of the Dock workers (Regulation of Employment) Rules, 1962 and in supersession of the notification of the Government of India in the Ministry of Surface Transport (Transport Wing), No.S.O.143(E) dated the 19th February, 1992, the Central Government hereby appoints the following persons to be the members of the Visakhapatnam Dock Labour Board established under sub-section (1) of the said section 5A, namely:—

#### MEMBERS REPRESENTING THE CENTRAL GOVERNMENT:

1. The Chairman, Visakhapatnam Port Trust, Visakhapatnam.
2. The Deputy Chairman, Visakhapatnam Dock Labour Board, Visakhapatnam.
3. The Docks Manager, Visakhapatnam Port Trust, Visakhapatnam.
4. Shri Ravi Kumar, Under Secretary, Ministry of Surface Transport, New Delhi.

#### MEMBERS REPRESENTING THE DOCK WORKERS:

- |                      |   |
|----------------------|---|
| 1. Shri V.V. Ramarao | Representatives of Visakhapatnam Harbour & Port Workers' Union.           |
| 2. Shri J. Ramunaidu |   |
| 3. Shri S. Parasuram | Representatives of Visakhapatnam Dock Labour Board & Dock Workers' Union. |
| 4. Shri D.K. Sarma   |   |

#### MEMBERS REPRESENTING THE EMPLOYERS OF DOCKWORKERS AND SHIPPING COMPANIES:

- |                            |   |
|----------------------------|---|
| 1. Shri K. Gangi Reddy     | Representative of Visakhapatnam Stevedores Association              |
| 2. Shri S.K. Roy           |   |
| 3. Shri T.S. Rajeswaran    | Representative of Visakhapatnam Custom Clearing Agents Association. |
| 4. Shri K.V. Krishna Kumar | Representative of Indian National Shipowners' Association           |

The Central Government hereby nominated the Chairman, Visakhapatnam Port Trust, as the Chairman of the said Board.

[F.No.LB-13014/4/96-US(L)]

S. K. DARGAN, Under Secy.

वस्त्र मंत्रालय

नई दिल्ली, 23 अक्टूबर, 1996

का.आ. 3134.—केन्द्रीय रेशम बोर्ड अधिनियम, 1948 (1948 का 61) की धारा 4 की उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार, भारत सरकार, वस्त्र मंत्रालय के क.प्र.सं. 802 (ई) दिनांक 7 नवम्बर, 1994 की अधिसूचना में निम्नलिखित संशोधन करती है :—

उक्त अधिसूचना में श्रम. सं. 1 तथा उससे संबंधित प्रविष्टि के स्थान पर निम्नलिखित जोड़ा जाएगा नामतः—

श्रीमती रुक्मणि हल्लिया केन्द्र सरकार द्वारा अधि-  
संयुक्त सचिव नियम की धारा 4(3)  
वस्त्र मंत्रालय, (ख) के अंतर्गत नामित।  
भारत सरकार

श्रीमती रुक्मणि हल्लिया, संयुक्त सचिव को बोर्ड के उपाध्यक्ष के रूप में भी नियुक्त किया जाता है।

[फा.सं. 25012/5/94-रेशम]

एस. के. केशव, निदेशक

## MINISTRY OF TEXTILES

New Delhi, the 23rd October, 1996

S.O. 3134.—In exercise of the powers conferred by Sub-Section (3) of Section 4 of the Central Silk Board Act, 1948 (61 of 1948), the Central Government hereby makes the following amendment in the notification of the Government of India in the Ministry of Textiles S.O. No. 802(E), dated 7th November, 1994:—

In the said notification against Sl. No. 1 and the entry relating thereto, the following shall be inserted, namely :—

Smt. Rukmani Haldea

Joint Secretary,

Ministry of Textiles.

Government of India.

Nominated by the  
Central Government  
under Section 4(3)(b)  
of the Act.

Smt. Rukmani Haldea, Joint Secretary is also appointed as Vice-Chairman of the Board.

[F. No. 25012/5/94-Silk]

S. K. KESHA, Director

विद्युत् मंत्रालय

नई दिल्ली, 13 सितम्बर, 1996

का.आ. 3135.—केन्द्रीय सरकार, विद्युत् (प्रवाय) अधिनियम, 1948 (1948 का 54) की धारा 29 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारत सरकार के विद्युत् मंत्रालय की अधिसूचना-सं. का. आ. 1095, तारीख 28 दिसम्बर, 1995 में निम्नलिखित संशोधन करती है, अर्थात् :—

उक्त अधिसूचना की मद्द (i) में, “चार सौ करोड़ रुपए” शब्दों के स्थान पर “एक हजार करोड़ रुपए” शब्द रखे जायेंगे।

[फा.सं. ए-55/95-डी.ओ. (आई.पी.सी.-1)]

बी.बी. प्रसाद, निदेशक

## MINISTRY OF POWER

New Delhi, the 13th September, 1996

S.O. 3135.—In exercise of the powers conferred by sub-section (1) of Section 29 of the Electricity (Supply) Act, 1948 (54 of 1948) the Central Government hereby makes the following amendments in the notification of the Government of India in the Ministry of Power No. S.O. 1095, dated the 28th December, 1995, namely :—

in the said notification, in item (i), for words “rupees four hundred crores the words “rupees one thousand crores shall be substituted.

[F. No. A-55/95-DO(IPC)-I]

V. V. PRASAD, Director

श्रम मंत्रालय

नई दिल्ली, 9 अक्टूबर, 1996

का.आ. 3136.—जबकि नेशनल थर्मल पावर कॉर्पोरेशन लिमिटेड, जो कि केन्द्रीय सरकार का प्रतिष्ठान है, ने उत्पादन संदाय अधिनियम, 1972 (1972 का 39) (जिसे इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 5 की उप धारा (1) के अधीन छूट के लिए आवेदन किया है,

और जबकि केन्द्रीय सरकार की राय में उक्त प्रतिष्ठान के कर्मचारियों को मिलने वाले उत्पादन लाभ उक्त अधिनियम के अधीन प्रदत्त लाभों से कम नहीं है।

अतः, अब उक्त अधिनियम की धारा 5 की उप धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, नेशनल थर्मल पावर कॉर्पोरेशन लिमिटेड को इस अधिसूचना के सरकारी राजपत्र में प्रकाशन की तारीख से उक्त अधिनियम के उपबंधों के प्रचालन से छूट प्रदान करती है।

[सं. एस.-42014/2/94-एस एस-II]

जे. पी. शुकला, प्रवक्तृ सचिव

## MINISTRY OF LABOUR

New Delhi, the 9th October, 1996

S.O. 3136.—Whereas the National Thermal Power Corporation Ltd., an establishment of the Central Government, has applied for exemption under sub-section (1) of the Section 5 of the Payment of Gratuity Act, 1972 (39 of 1972) (hereafter referred to as the said Act);

And whereas, in the opinion of the Central Government, the gratuity benefit receivable by the employees of the said establishment are not less favourable than the benefits conferred under the said Act;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 5 of the said Act the Central Government hereby exempts the National Thermal Power Corporation Ltd. from the operation of the provisions of the said Act from the date of publication of this notification in the Official Gazette.

[No. S-42014/2/94-SS.II]

J. P. SHUKLA, Under Secy.

नई दिल्ली, 17 अक्टूबर, 1996

का. आ. 3137.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा-1 की उप धारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 16-11-1996 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय-4 (धारा-4) और 45 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) और अध्याय-5 और 6 (धारा-76 की उपधारा (1) और धारा-77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) के उपबन्ध गोप्रा राज्य के निम्नलिखित क्षेत्रों में प्रवृत्त होंगे, अर्थात्:—

“तालुक सलेट में राजस्व सिकल कंकोलि”।

[संख्या : एस-38013/19/96-एस एस-1]

जे. पी. शुक्ला, अवर सचिव

New Delhi, the 17th October, 1996

S.O. 3137.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Employees' State Insurance Act, 1948 (34 of 1948) the Central Government hereby appoints the 16th November, 1996 as the date on which the provisions of Chapter IV (except Sections 44 and 45 which have already been brought into force) and Chapter V and VI (except sub-section (1) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Goa, namely:—

“The circle of Cuncolim in taluka Salcote.”

[No. S-38013/19/96-SS-1]

J. P. SHUKLA, Under Secy.

नई दिल्ली, 10 अक्टूबर, 1996

का. आ. 3138 —औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार पंजाब नेशनल बैंक के प्रबंधन के संबंध में निदेशों और उनके कर्मचारियों के बीच, प्रत्यक्ष में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नई दिल्ली के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 7-10-96 को प्राप्त हुआ था।

[संख्या एल-12012/306/94-आई. आर. बी. 2]

ब्रज मोहन, डेस्क अधिकारी

New Delhi, the 10th October, 1996

S.O. 3138.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, New Delhi as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Punjab National Bank and their workmen, which was received by the Central Government on 7-10-96.

[No. I-12012/306/94-IR(B-II)]  
BRAJ MOHAN, Desk Officer

ANNEXURE

BEFORE SHRI GANPATI SHARMA, PRESIDING  
OFFICER, CENTRAL GOVT. INDUSTRIAL  
TRIBUNAL, NEW DELHI

I.D. No. 50/95

In the matter of dispute between :  
Shri Suraj Parkash, Canteen Worker,  
Punjab National Bank,  
Rajouri Garden branch,  
New Delhi through,  
Maha Sachiv, PNB Canteen, Workers Union,  
No. 265, Block 8, Khichri Puri, Delhi-51.

Versus

Zonal Manager,  
Punjab National Bank,

1, Tolstoy Marg,  
Atma Parkash House,  
New Delhi-1.

APPEARANCES :

None—for the workman.

Mrs. Geeta Kulra—for the Management.

AWARD

The Central Government in the Ministry of Labour vide its Order No. L-12012/306/94-I.R. (B-2) dated 19-1-95 has referred the following industrial dispute to this Tribunal for adjudication :

“Whether Shri Suraj Parkash, Canteen worker of PNB, Rajouri Garden Branch, New Delhi was a ‘workman’ of PNB. If so, whether the action of the management of PNB in terminating his services w.e.f. 2-1-93 is just, fair and legal? If not, to what relief the workman is entitled to?”

2. The case was fixed for filing of the affidavit by the workman when same was not filed and the representative for the workman stated that the workman has not contacted me nor the Union in spite of his having informed them in view of the situation that the workman Union is no interested in continuing this dispute. No dispute award is given in this case leaving the parties to bear their own costs.

Further it is ordered that the requisite number of copies of this award may be forwarded to the Central Government for necessary action at their end.

9th September, 1996.

GANPATI SHARMA, Presiding Officer

नई दिल्ली, 10 अक्टूबर, 1996

का. आ. 3139.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इण्डियन बैंक के प्रबंधन के संबंध में निदेशों और उनके कर्मचारियों के बीच, प्रत्यक्ष में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण, अलेप्पे के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 8-10-96 को प्राप्त हुआ था।

[संख्या एल-12012/289/93-आई. आर. (बी. II)]

ब्रज मोहन, डेस्क अधिकारी

New Delhi, the 10th October, 1996

S.O. 3139.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Alleppey as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Indian Bank and their workmen, which was received by the Central Government on 8th October, 1996.

[L-12012/289/93-IR(B-II)]

BRAJ MOHAN, Desk Officer

ANNEXURE

IN THE COURT OF THE INDUSTRIAL TRIBUNAL,  
ALLEPPEY

(Dated this the 17th day of August, 1996)

PRESENT :

Shri K. Kanakachandran, Industrial Tribunal.

I.D. No. 17/94

BETWEEN

The Zonal Manager, Indian Bank, Zonal Office, Arandhi,  
Chittoor Road, Pulleppady, Ernakulam, Kochi-  
682 035.

AND

The Worker of the above concern Smt. K. R. Valsala,  
C/o Sri. H. B. Shendy, General Secretary, Cochin  
Labour Union, Vatsal, Krishnaswamy Road, Kochi-  
682 035.

REPRESENTATIONS :

M/s. E. Subramoniam and Alias M. Cherian, Advocates,  
Ernakulam, Cochin-35 in Bet. Management

M/s. H. B. Shenoy & Ashok B. Shenoy, Advocates,  
 'VATSAL', 39/187, Krishnaswamy Road, Ernakulam,  
 Cochin-682 035—For Worker.

### AWARD

1. The Government of India by its reference order No. L-12012/289/93-IR (B-II) dated 8th April, 1994 had referred the following issues for adjudication:—

"Whether the action of the management of Indian Bank, Cochin in terminating the services of Smt. K. R. Valsala, Part-time Sweeper with effect from 16th January, 1993 is justified? If not, what relief is the said workman entitled to?"

2. In the claim statement filed by the worker the details of service rendered by her are stated. According to her she was employed as a Part-time Sweeper in the Palai Branch of the Management Bank continuously from 1st May, 1988 to 15th January, 1993 and before that her employment was occasional. Her appointment from 1st May, 1988 was in a permanent vacancy which arose on account of the death of a Part-time Sweeper in the Management Bank. Although she was appointed on temporary basis in a permanent vacancy, she was not given the wages and other benefits enjoyed by a permanent worker of the Bank. She made several requests to regularise her appointment but nothing was done. After about 5 years, her services were terminated with effect from 15th January, 1993. According to her the retrenchment in her case is illegal and unjustified. Moreover, while retrenching from service, none of the conditions contemplated in Section 25-F of the Industrial Dispute Act were complied with. The retrenchment itself was void because it was in violation of certain minimum conditions stipulated in the All India Awards and Bipartite settlements existing in the Banking Industry. Therefore her prayer is for a declaration that the retrenchment effected in her case is illegal and unjustified. Prayer is also made for a direction to the management to reinstate her in service with the benefit of back wages and continuity of service.

3. In the written statement filed by the management it is stated that the worker concerned is the daughter of a former permanent part-time Sweeper viz., Janaki Raman who died in May 1988. Whenever Janaki Raman was on leave, the worker herein was also engaged and was paid wages then and there. In between 1981 to 1985 she was engaged for a total period of 146 days. After the death of her mother Janaki Raman, the worker was engaged. As per the directive from the Head office of the Bank dated 31st January, 1989, Local Employment Exchange was requested to sponsor the names of suitable candidates and that was strictly in accordance with the guidelines of the Government of India. On the basis of communication from the Palai Branch of the Management Bank, the District Employment Office, Kottayam had sponsored the names of candidates belonging to Scheduled Castes/Scheduled Tribes for being appointed as permanent part-time Sweeper only in the end of the year 1992. Since there was considerable delay on the part of Employment Exchange for sending up the names, the interview could be conducted only on 16th November, 1992. After the selection one Rajamma belonging to Scheduled Caste Community was given appointment and she joined Bank as a permanent Part-time Sweeper on 15th January, 1993. Only because of that much time lag, the worker herein was engaged as a Sweeper on casual basis frequently. Till regular appointment was made, not only the worker herein but also some others viz., Radha, Chellappan, Joseph, Kuttappan, Radhamony, Sannakumary, Rosamma and Valsamma were also engaged on casual basis on rotation. On 9th August, 1990 the worker submitted a representation to the Bank for sending the name to the Zonal Manager of the Bank at Ernakulam. In her representation she had stated about the number of days she had worked during the period from 1981 to 1989. The contention of the worker that she was engaged continuously from 1st May, 1988 to 15th January, 1993 is also denied by the management Bank. According to them whenever she was engaged, she was paid her wages then and there and there was no occasion to employ her continuously. The contention that she was retrenched from service on 15th January, 1993 is also disputed by the management. Since there was no

appointment order in her case, there was no occasion to retrench her from service also. While dispensing with her service, it was not obligatory on the part of the management to give any notice or notice pay as contemplated in the Industrial Disputes Act or as stipulated in All India Awards and Bipartite settlements. Since there was no effecting of retrenchment in terms of Sec. 25-F of the I.D. Act, it is not obligatory on the part of the management to comply with the provisions contained in Sec. 25E and 25H of the I.D. Act also. She had filed an application under Section 33C(2) of the I.D. Act before the Labour Court, Ernakulam (C.P. 6/93) claiming Rs. 11,324.40 as of due to her from the Bank.

4. The worker while tendering evidence before this Court had deposed that her Mother was the regular part-time Sweeper in the Bank and after the death of her Mother in May 1988, she was continuously employed and only after the appointment of a regular hand recruited through the Employment Exchange, her services were dispensed with. Even while her Mother was working, she was employed whenever her Mother was on leave. The payments to her were made in the S.B. Account No. 2838 opened in her name. Initially the daily wage was at the rate of Rs. 8. Later there was periodical enhancement in the daily wages. The S.B. Account Register (Ext. W1) maintained by the Bank would show the number of days she had worked before and after the death of her mother.

5. On the side of the management the Senior Manager of the Zonal Office of the management Bank tendered evidence. According to him (MW1) after the death of the Mother of the worker herein, not only herself but seven others were also employed. A regular hand was appointed on 15th January, 1993 in accordance with the guidelines issued by the Head Office of the management Bank. Through MW1, the document Ext. M1 was marked. It is said to be a representation submitted by the worker for her regularisation in service. In Ext. M1 the number of days the worker had worked in each year is shown. The veracity of Ext. M1 is disputed by the worker herself by stating that she does not know English and because of that the content of Ext. M1 is also not known to her. She is disowning the submission of Ext. M1 representation to the Bank Management. In the cross examination MW1 has stated that he had not worked in the Branch in which the concerned worker was working as Part-time Sweeper on temporary basis.

6. Through MW1 Ext. W1 was marked at the time of his cross-examination. Ext. W1 is the photo copies of the ledger pages relating to the S.B. Account maintained in the name of the worker. Ext. W2 series are some of the credit slips kept in the Bank which would also show payments to the worker. Ext. W2 series slips do not contain the signature of the worker herein. The management's case is that the worker had worked only for 126 days in the year 1988 and 111 days in the year 1989. When we go through Ext. W1 ledger sheets it can be seen that daily wage was remitted in the account of the worker herein. If we examine the particulars from the month of May 1988 (from the date of death of the Mother of the worker) it can be seen that almost all working days in a week, the worker was working on daily wages. The payments were made to her by describing the credit either as wages or by cash. The figures entered in the S.B. account will show that all the credits given are the multiples of daily wages. If we examine the payment received in the month of May 1988, it can be seen that the worker had worked for 21 days. Similarly in the subsequent months also, entries were made showing payments either as cash or by self. From the entries shown in Ext. W1 ledgers it can be seen that almost on all working days she had been working on daily wages. From May 1988 to April 1989 she had worked more than 240 days (actually 286 days) and that is evident from Ext. W1 register. In view of these details, no doubt, the particulars furnished by the Management are incorrect. There was every chance for her working for 240 days in all the years till her ousting.

7. The management contention is that if any regular appointment of part-time Sweeper is to be made, that could be done only after calling for suitable candidates from the Local Employment Exchange. It is stated in the counter statement of the management that the post of part-time Swee-

per was vacant in May 1988 and request was made to the Eoed Employment Exchange for sending names only by a letter dated 31st January, 1989. It is further stated that names were forwarded from the Employment Exchange, Kottayam only at the end of the year 1992. On the basis of selection, appointment could be given only in January, 1993. The case of the worker is that till regular appointment was made she was working almost all days continuously after the death of her mother. Therefore there was every possibility of rendering service by her more than 240 days of service during a period of twelve consecutive months than 240 days in each year. Because of that she had acquired vested rights as contemplated in Section 25F of the Industrial Disputes Act. In that case any termination of her service could have been made only by strict compliance of Sec. 25F of the I.D. Act. Admittedly none of the formalities as contemplated in Sec. 25-F of the I.D. Act were complied with. In view of that position, the termination of the service in the case of worker herein can only be held as null and void. She is entitled for reinstatement with the benefit of back wages.

8. At the time of argument it was submitted by the learned counsel for the worker that in all other Nationalised Banks there is a Scheme for regularisation of sub-staff if they had rendered a minimum service of 240 days during a period of 12 months in between the year 1982 and 1990. Whether such a scheme is implemented in the management bank is not known and in fact there is no documentary evidence also. However if there is such a scheme in the management bank also, they should examine whether any form of regularisation is possible in the case of worker herein.

9. With the above direction and observation an award is passed.

K. KANAKACHANDRAN, Industrial Tribunal,  
Alleppey.

#### APPENDIX

(I.D. No. 17/94)

Witness examined on the side of the Management:  
MW1—Jose Joseph.

Witness examined on the side of the worker:  
WW1—K. B. Valsala.

Exhibits marked on the side of the Management:

M1—Photocopy of the representation dated 9th August, 1990 of Smt. K. B. Valsala.

Exhibits marked on the side of the Worker:

W1—Photo copy of the Savings Bank Account No. 2838 maintained in Palai Branch of Indian Bank in the name of K. B. Valsala.

W2—Photo copy of the S.B. Account No. 2838 Credit slips maintained by Palai Branch of Management Bank for the period from 1st May, 1988 to 31st January, 1993.

K. KANAKACHANDRAN, Industrial Tribunal,  
Alleppey.

नई दिल्ली, 10 अक्टूबर, 1996

का. आ. 3140 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सेन्ट्रल बैंक ऑफ इंडिया के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निहित औद्योगिक विवाद में औद्योगिक अधिकरण, अल्लेपे के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 8-10-96 को प्राप्त हुआ था।

[संख्या एल—12012/150/93—आई. आर. (बी. 2)]

ब्रज मोहन, डैस्क अधिकारी

New Delhi, the 10th October, 1996

S.O. 3140.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Alleppey as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Central Bank of India and their workmen, which was received by the Central Government on 8-10-96.

[No. L-12012/150/93-IR(B-II)]  
BRAJ MOHAN, Desk Officer

#### ANNEXURE

IN THE COURT OF THE INDUSTRIAL TRIBUNAL,  
ALLEPPEY

(Dated this the 2nd day of September, 1996)

PRESENT:

Shri K. Kanakachandran, Industrial Tribunal.

I.D. No. 45/93

BETWEEN

The Regional Manager, Central Bank of India, Regional Office, Jee Towers, Pallimukku, Cochin-682016.

AND

The Workman of the above concern Shri K. Asokan, S/o Raman, Kodakkate House, Chombala Post, Via Badagara District Calicut.

REPRESENTATIONS:

M/s. Menon and Pai, Advocates, Ernakulam, Cochin-18—  
For Management.

M/s. H. B. Shenoy, Ashok B. Shenoy and Anish V. Assainar, Advocates, 'VATSAN', 39/187, Krishnaswamy Road, Ernakulam, Cochin-682035—  
For Workman.

#### AWARD

The Government of India by their Order No. L-12012/150/93-IR(B-II) dated 13-9-1993 had referred the following issues for adjudication:—

"Whether the action of the management of Central Bank of India in terminating the services of Sri K. Asokan is justified? If not, what relief, is Sri Asokan entitled to?"

2. The workman was employed as a Sub-staff in the management Bank on temporary basis. According to him he worked in the bank for about four years for the period from 14-2-87. At the time of his appointment no letter of appointment was given to him. Although he was discharging all the duties of a permanent sub-staff in a leave vacancy, he was denied of all the privileges and wage benefits to which a regular workman was entitled. While he was continuing like that, his services were terminated without any notice or compensation in spite of the fact that he had to his credit more than 240 days of service immediately preceding 12 months of the day of termination. Therefore his claim is for reinstatement with continuity of service and other benefits of back wages.

3. In the claim statement filed by the workman it is stated that while he was working on temporary basis continuously, he made several requests for his regularisation in service. Considering the length of service he could have been regularised in service. Since he had to his credit more than 240 days of service, any kind of retrenchment of him from service is null and void and therefore he is entitled for reinstatement in service. The management had conducted a written test for absorption of temporary workman in permanent service on 4-3-1992. But he was not called for test or interview. Ignoring his better claims, some other persons were selected for appointment. It is further stated that in accordance with

the terms of Circular No. 622 dated 12-3-1991 issued by the management he should have been called for written test and interview.

4. In the counter statement filed by the management it is stated that the workman was engaged in Chombala Branch of the management Bank as a casual worker with effect from 14-2-1987. His engagement was on a casual basis to meet the day-to-day requirements and that too when the permanent workmen were on leave. He had worked for 231 days during the period from 14-2-1987 to 25-5-1989. Since he was not a permanent employee of the Bank, at any point of time, there was no occasion for his retrenchment from service. By the Circular No. 622 dated 12-3-1991 the management gave instruction to recruit temporary employees as permanent staff and that was only a one time measure. Certain stipulations were laid down in that circular and those were on the basis of an agreement dated 24-12-1990 between the management and the majority unions. In that Circular it has provided that those who had 240 days of temporary service in any continuous period of 12 months in between 1-1-1982 and 31-12-1990 are entitled for regularisation. As per the other clause in the same circular those who had worked for 180 days in between 1-1-1987 and 24-12-1990 and whose names were registered with the Employment Exchange were given regularisation. The workman's case would not come under the first category, because he had only 231 days of service during a period of 12 months. As per Clause II of that circular, for the recruitment purpose, the age, qualifications etc., should be taken with reference to the position as on the date when candidate was taken first on temporary basis. The workman did not satisfy the qualification criteria and hence he was found not eligible for the sub-staff test held on 4-3-92. As per the stipulation laid down in the circular, the minimum qualification for a sub-staff is a pass in VIII Std. Maximum qualification fixed is completion of course in 10th Std. Even at the time of his initial engagement, he was not eligible for getting appointment as Sub-staff. The allegation that retrenchment in his case was in violation of the provisions of Industrial Dispute and Sastri Award is also incorrect. Similarly the allegation that the management had violated Section 25H and provisions of Sastri Award is also of no basis. Therefore the non-renewal of his casual service was perfectly in order. He is not entitled for reinstatement in service also.

5. B sides adduced evidence. The workman's claim is that he had worked for more than 240 days during a period of one year immediately before the date of his ousting from service. On the other hand management's case is that he had worked only 231 days during a period of one year. MW2, who is an officer in the Regional Office of the management Bank at Ernakulam tendered evidence. He has stated that on the basis of Ext. M4 settlement, Ext. M5 circular was issued by the management Bank. In terms of Ext. M5, a temporary staff who have worked for 240 days during a period of 12 months at any time between the years 1982 and 1990 is entitled for regularisation without any test or interview. Since the workman had to his credit only 231 days, he would not come within the eligible category. However he has admitted that the workman's case would come under the second category viz., those who had rendered 180 days of service in between 1-1-1987 and 24-12-1990. He has admitted that in the Chief Examination itself. Although the workman's case would come under the second category, he was not qualified for test and interview and that was only because of the fact that he was over qualified in the sense that he passed SSLC Examination. Even at the time of his initial appointment in the year 1987 as a temporary staff, the management was unaware of his passing of the SSLC examination. However he was conceded in the cross-examination that in the case of those who would come in the first category viz., those having 240 days of service in between 1-1-1982 and 31-12-90 the passing of SSLC Examination would not be a disqualification. If that be the position, there is no logic in making an irrational approach in the case of those coming under the second category. The reason for not regularising the over qualified person is explained by MW2 stating that it was only to help the lesser qualified persons to get into the sub-staff category. If over-qualification makes a person eligible for appointment in a particular category, that should have equal application. In view of the admitted fact that (even according to the management) the workman would come in

the second eligible category, it is only appropriate that the management should consider his regularisation also notwithstanding the passing of SSLC examination by him. The reason proffered by the management is not at all reasonable or sustainable in view of the fact that temporary sub-staff who worked for 240 days service is exempted from the application of over-qualification theory.

6. The workman's specific case is that he had rendered more than 240 days of service during a period of 12 months. To counter that contention there is no sufficient material on the side of the management. Although the management had stated that the workman had to his credit only 231 days of service, even to vindicate that they could produce vouchers showing the receipt of wages only in respect of 204 days. Regarding the other vouchers MW1 has stated that those were not traceable. Hence the vouchers made available will not help to come to a positive conclusion that the workman had to his credit less than 240 days of service. Another aspect which is to be noted in this dispute and is admitted by MW1 is that there is a Head Office Circular insisting not to engage any workman for more than 60 days at a time. It is explained by the workman that in view of that circular, the Branch Officials will make artificial break in the service of temporary workmen and that is by making entries in such a way in the wage register showing the receipts of wages as a different person. Whenever such wrong entries are made, actually, himself was rendering service. In view of that admitted position that the engagement of a temporary workman would be only for 60 days at a stretch, the break created in the case of workman service might have been only an artificial break. Even after making such artificial break, the workman herein had to his credit 231 days of total service during a period of 12 months. In view of these, the only conclusion possible is that the workman had to his credit more than 240 days of service during a period of 12 months just before the termination of his service. In that case he is entitled for protection as envisaged in Sec. 25-F of the I.D. Act. Since the management had not complied with formalities contemplated in Sec. 25-F of the I.D. Act before the retrenchment of the workman, the termination of his service was null and void. As a consequence of that he is entitled for reinstatement with the benefit of back wages.

(Dated this the 2nd day of September, 1996).

Sd/-

K. KANAKACHANDRAN, Industrial Tribunal,  
Alleppey.

#### APPENDIX

(I.D. No. 45/93)

Witnesses examined on the side of the Management:

MW1—P. K. Menon.

MW2—P. C. Jose.

Witness examined on the side of the Union:

WW1—Asokan.

Exhibits marked on the side of the Management :

M1 (series)—Cash vouchers of daily payment given to the worker from 1987 to 1989.

M2 (series)—Daily wages payment Register from 16th April, 1987 to 20th June, 1989.

M3 (series)—Circular No. CO/PMB/RBC/83/C-21 dated 7th November, 1983 of Central Bank of India, Bombay.

M4 (series)—Copy of the Memorandum of settlement dated 24th December, 1990.

M5 (series)—Copy of the Circular No. CO/90-91/622 dated 12th March, 1991.

Exhibits marked on the side of the Union:

W1—Circular No. CRO/PRS/89/C/49 dated 29th September, 1989 of Central Bank of India, Regional Office, Cochin.

K. KANAKACHANDRAN, Judge,  
E. I. Court, Alappuzha.

नई दिल्ली, 10 अक्टूबर, 1996.

का. घा. 3141 :—कौद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 12 के अनुसूचना में, केन्द्रीय सरकार, विजाय बैंक के प्रबंध तंत्र के संबद्ध नियोजकों और उनके कर्मचारियों के बीच, अनुसूद्ध में निम्नलिखित कौद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचमट को प्रकाशित करती है, जो केन्द्रीय सरकार को 8-10-96 को प्राप्त हुआ था।

[विजाय एस.—12012/238/88 की HR/आर्. आर. की.-2

संख्या एस.—12012/238/88 की H P/आर्.आर.की.-2]/

रज मोहन, डेस्क अधिकारी

New Delhi, the 10th October, 1996.

S.O. 3141.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Vijaya Bank and their workmen, which was received by the Central Government on 8th October, 1996.

[L-12012/238/88-D.II.A/IR(B.II)/

L-12012/238/88-D.II.A/IR (B.II)]

BREND MOHAN, Desk Officer

#### ANNEXURE

BEFORE SHRI B. K. SRIVASTAVA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM LABOUR COURT, DEOKI, BALACE ROAD, RANDU NAGAR, KANPUR

Industrial Dispute No. (152 of 1988 and 154 of 1988).

In the matter of dispute between:

1. Banaiwala Chaturvedi,  
C/o A. K. Mahasstra,  
6-P. N. Telegraph Colony,  
Agra Cantt.
2. General Secretary,  
U.P. Bank Workers Organisation,  
24, Laxmi Ganj,  
Belanganj Agra.

AND

Divisional Manager,  
Vijaya Bank,  
19-C, Vidhan Sabha Marg,  
Lucknow.

#### AWARD

1. Central Government, Ministry of Labour, New Delhi vide notification numbers given below has referred the following dispute for adjudication to this Tribunal:—

Notification No. L-12012/238/88-D2(A) dated 4-11-1988

Whether the action of the management of Vijaya Bank in dismissing from service Shri Banai Wala Chaturvedi was justified? If not, for what relief the workman entitled?

Notification No. L-12012/239/88-D2(A) dated 4-11-1988

Whether the action of the management of Vijaya Bank in dismissing from service Shri S. K. Dubey was justified? If not, to what relief the workman entitled?

2. As in the aforesaid references common question of law and facts are involved, the same are being disposed off by a common award. I.D. 152/88 shall be the leading reference.

3. Now following facts are undisputed. B. K. Vittal Shetty was posted as branch manager of Firozabad branch of Vijaya Bank. On 17th January, 1985 Banai Wala Chaturvedi was entrusted with the job of supervising work at that branch where as S. K. Dubey the workman of I.D. No. 154/88 was dealing with cash. On that the concerned workman was given a charge sheet on 5th August, 1985, the details of which is as under :—

1. Riotous and disorderly behaviour on the premises of the branch constitutes gross misconduct within the meaning of Sub-clause 19.5 of Chapter XIX, of the Bipartite Settlement, 1966.
2. Abusing the branch manager and slapping him on his face and threatening him with dire consequences amount to acts subversive of discipline which are acts prejudicial to the interests of the bank which constitutes gross misconduct within the meaning of sub-clause (j) of clause 19.5 of Chapter XIX of the Bipartite settlement.
3. Refusing to sign in the delivery book in spite of receiving the suspension order at the branch amount to disobedience which constitutes gross misconduct within the meaning of sub-clause (e) of clause 19.5 Chapter XIX of the Bipartite Settlement, 1966.

3. Enquiry Officer submitted his enquiry report on 30-8-86, after completing enquiry. It was held that Charge No. 2 was not proved where as charges 1 and 3 were proved. Agreeing with this report the disciplinary authority passed order of dismissal against both of them on 16-1-87. Appeal was also dismissed on 16-6-87.

4. Feeling aggrieved B. L. Chaturvedi raised Industrial Dispute Case No. 152/88 where as S. K. Dubey raised I.D. Case No. 154/88.

5. Although in both the cases separate claim statements have been filed, but averments are common. It was alleged that enquiry was not fairly and properly held. On the other hand the opposite party bank maintained there was no flaw in the enquiry. Hence a preliminary issue regarding fairness and propriety of domestic enquiry was framed in both the cases. This tribunal vide finding order dated 25-3-96 held that enquiry was fairly and properly held. The copy of findings shall form part of the award which is also being annexed herewith.

6. The workmen were heard on the quantum of punishment. No one has turned up on behalf of management on the date of argument. It was urged by the workmen that charge No. 2 relating assault and hitting of tumbler on B. K. Vittal Shetty was held to be not proved. The two concerned workmen have been held to be guilty of misconduct of riotous and disorderly behaviour in bank premises. The charge of disobedience by way of refusal to receive suspension order and making signature in delivery book has also been proved. It is urged that these are minor misconducts. In any case for these two misconducts awarding of economic death sentence is highly disproportionate to the gravity of misconduct.

I do not agree with the contention of concerned workmen that charge No. 1 amount to misconduct nuisance as envisaged by clause (e) in which minor misconduct were explained in 1st Bipartite settlement. Instead this misconduct is fully covered by definition of major misconduct. I am further of the view that charge No. 3 is covered by clause (e) containing details of gross misconduct as given in 1st Bipartite Settlement of para 19. In this way I came to conclusion that concerned workmen has committed act of gross misconduct and not minor one. Any way I am inclined to give the contention of two workmen that passing of dismissal order for these two misconducts is not consumerative to misconduct. The concerned workmen have no adverse antecedents. They should be given chance to improve. Hence keeping in view the gravity of misconduct I am of the view that the concerned workmen should be denied 50 per cent of the wages from date of termination to the date of reinstatement by way of punishment. They shall be entitled by reinstatement with balances of 50 per cent back wages from the date termination till the date of award.

Award accordingly.

Let six copy of this award be sent to the Govt. of India Ministry of Labour, New Delhi for its publication.

B. K. SRIVASTAVA, Presiding Officer

BEFORE SRI B. K. SRIVASTAVA, PRESIDING OFFICER

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-

CUM-LABOUR COURT, PANDU NAGAR, DEOKI

PALACE ROAD KANPUR

S. K. Dubey (I.D. No. 154 of 88)

Bansi Wala Chaturvedi (I.D. No. 152/88)

AND

Vijaya Bank

Preliminary Issues :-

1. Whether the departmental enquiry was not conducted fairly and properly against the workman ?
2. Whether the findings given by the Enquiry Officer and accepted by the Disciplinary and confirmed by the appellate authority are perverse being not based on evidence ?

Findings

1. The above mentioned two issues are common in both the I.D.s, hence these two issues are being decided by a common order. The brief facts giving rise to these issues are as under :-

V. K. Vittal Shetty was posted as branch Manager at the branch of the opposite party vijaya Bank on 17-1-85. At the time B. S. Chaturvedi the concerned workman, of I.D. case No. 152/88 was entrusted with the responsibility of supervising work whereas S. K. Dubey the concerned workman of I.D. No. 154/88 was handling cash. There was a row between K. Vittal Shetty and the two concerned workman regarding clearance of a draft for Rs. 3000. which resulted in altercation between the two. At about 2.00 p.m. on that date when Shetty was going for lunch he was assaulted by the two workmen hurling abuses upon him. They also made the following observations—

You Shetty fellows, jasuing memos on me. we know how to teach you people.

Bansiwala Chaturvedi hurled a tumbler upon him whereas S. K. Dubey slapped on his face. victim sent a telegram and also a detailed report on 18-1-85 to the head office, on the basis of which the two concerned workmen were placed under suspension. A preliminary enquiry was held against them. On the basis of this report Shri K. S. Venkanna Rai was appointed as Enquiry Officer on 10-12-85, who held joint enquiry against both

the persons. The concerned workmen given a chargesheet on 5-8-85, the details of which is as under,—

1. Riotuous and disorderly behaviour on the premises of the branch constitutes gross misconduct which are acts prejudicial to the interests of the XIX. of the Bipartite Settlement, 1966.
2. Abusing the branch manager and slapping him on his face and threatening him with dire consequences amount to acts subversive of discipline which are acts prejudicial to the interests of the bank which constitutes gross misconduct within the meaning of sub clause (j) of clause 19.5 of Chapter XIX of the Bipartite Settlement.
3. Refusing to sign in the delivery book inspite of receiving the suspension order at the branch amount to disobedience which constitutes gross misconduct within the meaning of sub clause (e) of clause 19.5 Chapter XIX of the Bipartite Settlement, 1966.

The record reveals that the two concerned workmen did not submit reply to the chargesheet although they had participated in the enquiry. Ramesh Kadam was the representative of S. K. Dubey whereas A. C. Bhardwaj was the representative of workman Bansiwala Chaturvedi. The bank was represented by one R. S. Narain, Sr. Manager Vijaya Bank, Chandni Chowk Branch. Before the enquiry officer the management examined the victim K. Vittal Shetty and one officer Hem Chand. In rebuttal, the workmen have examined security guard.

On a review of this evidence, the enquiry officer vide his findings dated 30-6-86, held that charges nos. (1) and (3) were proved whereas charge No. 2 was not proved. On the basis of this report the two concerned workmen were dismissed from service.

Feeling aggrieved both the concerned workmen raised industrial dispute. I.D. No. 152/88 relates to Bansiwala Chaturvedi whereas I.D. No. 154/88 relates to S. K. Dubey

In their respective written statements both the concerned workmen have challenged the fairness and propriety of enquiry. On merits it was denied that they have indulged in riotuous behaviour or had man-handled K. Vittal Shetty or they have refused to take suspension order. On the other hand the management in both the reference have denied that domestic enquiry against them was not held in accordance with law.

On the basis of above pleadings my learned predecessor has framed the above mentioned preliminary issues. A perusal of file of domestic enquiry would reveal that K. Vittal Shetty, the branch manager was examined to prove that charge of riotuous behaviour on the part of the two concerned workmen and the factum of assault by them. Whereas Hem Chand Officer of Firozabad Branch was examined to prove the fact that the two concerned workmen have refused to accept the order of suspension by signing the delivery book. The security award had given statement on all the charges by denying the factum of assault by the two concerned workmen. However, in cross-examination he had concealed that there were heated talks between the branch manager and the concerned workmen at the time of this occurrence.

Although K. Vittal Shetty had fully deposed about the factum of assault by the two concerned workmen, the enquiry officer had chosen not to accept his evidence on the plea that it did not find corroboration from any other person who had seen the occurrence. I would not like to comment on the manner of assessment of evidence of the enquiry officer in this regard as it is not a court of appeal over the findings of enquiry officer. Hence for the purpose of present case it is to be accepted. Next it will be seen as to whether charge of riotuous behaviour was proved.

Once again I have gone through the evidence of V. Vittal Shetty recorded by the enquiry officer. His evidence fully proves this fact. The enquiry officer has also derived support from the evidence of the security guard

who had admitted that some altercation had taken place between the two sides at the material time. Before further commenting on this evidence I would like to observe that in like any criminal cases the charge in a domestic enquiry is not required to be proved beyond shadow of doubt. Only it needs to be probalised. It was contended by both the concerned workmen that there was no corroborative evidence to prove their riotous behaviour. In my opinion, absence of corroboration would not prove fatal as the evidence of K. Vital Shetty finds support from his prompt telegram followed by a detailed report. This evidence will be admissible under rule Res gaeste. In my opinion, from the above evidence the case of riotous was more than probalised, specially when the two concerned workmen had not cared to enter into the witness box and face cross examination, against the two concerned workmen. It was also contended by the two concerned workmen that this charge was dependant upon charge no. 2. Since the enquiry officer had let off them with regard to charge no. 2, the charge no. 1 should automatically fail. I do not agree with this contention as well. In my opinion, assault by tumbler and slapping is distinct from unruly behaviour on the part of the two concerned workmen which has preceded the assault. It was distinct misconduct as such the enquiry officer has rightly proceeded not to integrate it with charge no. 2. As said earlier it was an independant misconduct. In the end disagreeing with the contention of the two concerned workmen I feel that the charge no. 1 was fully established against the two concerned workmen.

Not much has been said regarding charge no. 3. Still after going through evidence of Hem Chand and security guard who were examined by the two concerned workmen, I am of the opinion, that the case of management regarding refusal of acceptance of suspension order and signing the delivery book was also proved. In this way both the charges duly established and the enquiry officer has committed no misconduct in holding so.

The two concerned workmen have also urged that charges are vague inasmuch as details of incident have not been given in the two charges. This contention has no force. A perusal of chargesheet would go to show that first the details of incident have been recited. Thereafter the three misconduct have been culled out. When details were recited earlier there was no need to give other details again in the three charges. Hence charges cannot be said to be vague, on this score. Accordingly this contention is also overruled. Finally it is to be borne in mind for holding proper and fair enquiry that there should be a clear chargesheet, opportunity to the delinquent to submit his explanation, opportunity to the delinquent to cross examine the management witness and adduce his evidence in defence. In the instant case all these factors have been duly complied with by the enquiry officer as has been seen above hence I have no hesitation in holding that the enquiry against the concerned two workmen was fair and proper.

Still concluding the arguments the two concerned workmen had submitted that they had been falsely implicated as the branch manager has boured ill will against him because he had refused to obliged him by exceeding his request for wrongful acts. I do not find any substance in this contention for want of cogent evidence. In the end it is held that the domestic enquiry held against the two concerned workmen was fair and proper and finding is not reverse.

Sd/- Illigible

Case to come up on 12-7-95 at camp Agra for arguments on the point of punishment and evidence if any.

26-5-95.

B. K. SRIVASTAVA, Presiding Officer

Let a copy of this order be placed on the record of I.D. No. 2, 152 of 88.

2632 GI/96-6.

नई दिल्ली, 10 अक्टूबर, 1996

का. भा. 3142 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) को धारा 17 के अनुसरण में, केन्द्रीय सरकार बैंक ऑफ इंडिया के प्रबंधन के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 8-10-96 को प्राप्त हुआ था।

[संख्या एल—12012/10/96—आई. आर. (बी. 2)]

ब्राज मोहन, डेस्क अधिकारी

New Delhi the 10th October, 1996

S.O. 3241.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BANK OF INDIA and their workmen, which was received by the Central Government on 8-10-1996.

[L-12012/10/96-IR(B-II)]

BRAJ MOHAN, Desk Officer.

#### ANNEXURE

BEFORE SRI B. K. SRIVASTAVA PRESIDING  
OFFICER CENTRAL GOVERNMENT INDUS-  
TRIAL TRIBUNAL-CUM-LABOUR COURT  
PANDU NAGAR DEOKI PALACE ROAD  
KANPUR

Industrial Dispute No. 170 of 1990

In the matter of dispute between :

Sri Ashok Kumar Gupta

C/o V. N. Sekhari

26/104 Birhana Road

Kanpur.

AND

Regional Manager

Bank of India

6/168 Bhivani Mandi

Belanganj Agra,

#### AWARD

1. Central Government, Ministry of Labour,  
vide its notification number L-12012/10/90-I.R.

(D-2) dated 1-8-90, has referred the following dispute for adjudication to this Tribunal—

Whether the action of the management of Bank of India in dismissing Sri A K Gupta is justified? If not, to what relief is the workman entitled?

2. The concerned workman was admittedly working as Cash cum clerk at Mainpuri Branch of the opposite party Bank of India w.e.f. 1981. He was found guilty of following misconduct—

During the year 1985, you entered into a criminal conspiracy with Sri Amar Nath S/o Shri Jagdish Pd. r/o Katra, Mainpuri to cheat the bank. In pursuance of the said conspiracy, you dishonestly and fraudulently made a false credit entry of Rs. 5250/- on 30-5-85 in the bank ledger sheet of S/B A/c No. 7261 of Sri Amar Nath in your handwriting consequent upon which Sri Amar Nath withdrew a sum of Rs. 3000/- on 3-6-85 through a withdrawal slip.

In pursuance of the said conspiracy you again made a fictitious credit entry of Rs. 3500/- on 19-6-85 in the bank ledger sheet of S/B A/c no. 7261 of Sri Amar Nath in your handwriting, consequent upon which Sri Amar Nath withdrew a sum of Rs. 3000/- on 4-7-85 by a withdrawal slip.

A criminal case for the above misconduct was registered as number 110 of 1996 before Special Judicial Magistrate C.B.I. Dehradun under sec. 477-A/409/420 I.P.C. After full dressed trial, he was convicted by the said magistrate by judgment and order dt. 21-4-86 and was awarded jail term. The opposite party bank invoking provisions of para 19.3(b) of First Bipartite Settlement 1966 issued a show cause notice dated 31-7-86. The concerned workman has admitted his guilt hence the management issued dismissal order on 14-8-86. Appeal filed by the concerned workman too was dismissed on 8-11-86. Feeling aggrieved the concerned workman has raised the instant industrial dispute.

3. In the claim statement it was alleged that the management had induced the concerned workman to admit his guilt and in lieu of this he would be awarded lesser punishment than dismissal. It was because of this lurement that he had admitted the guilt.

4. Next place it is alleged that his record is unblemished, hence this extreme punishment should not have been awarded to him.

5. The management has filed written statement in which it is alleged that no such lurement was given and that in a case of criminal misappropriation question of good past record is of no consequence.

6. In the rejoinder nothing new has been said.

7. The concerned workman has not adduced any evidence to prove that any inducement was given to him by the management. In its absence this plea is rejected for want of proof.

8. I further agree with the contention of authorised representative of the bank that in a case of criminal misappropriation even if the delinquent has got past record to his credit it will not as saviour from awarding extreme punishment. I am of the firm view that in a case of criminal misappropriation there is loss of confidence and in such a case in the absence of any extra ordinary circumstances in favour of the delinquent extreme punishment of dismissal would be the only appropriate punishment.

9. Thus having overruled both the contentions of the concerned workman I am of the view that the management has been judicious in awarding punishment to the concerned workman by way of dismissal.

10. Hence, my award is that the order of dismissal of concerned workman by the management is justified and the concerned workman is not entitled for any relief.

11. Reference is answered accordingly. Let six copies of this award be sent to the Government of India, Ministry of Labour, New Delhi, for its publication in the gazette of India. Dt. 3-10-96.

B K SRIVASTAVA, Presiding Officer.

नई दिल्ली, 10 अक्टूबर, 1996

का. आ. 3143.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार हिन्दुस्तान एल्युमिनियम कारपोरेशन लिमि., के प्रबन्धन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं. 2 धनवाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-10-96 को प्राप्त हुआ था।

[एल. 43012/8/90:—आई. आर. (विधि)]

बी. एस. डेविड, डैस्क अधिकारी

New Delhi, the 10th October, 1996

S.O. 3143.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award

of the Central Government Industrial Tribunal, No. I, Dhanbad as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Hindustan Aluminium Corporation Ltd., and their workman, which was received by the Central Government on the 10-10-96

[No. L-43012/8/90-IR(Misc.)]

B. M. DAVID, Desk Officer  
ANNEXURE

BEFORE THE CENTRAL GOVERNMENT  
INDUSTRIAL TRIBUNAL NO. I, DHANBAD

In the matter of a reference under Section 10(1)(d)(2A) of the Industrial Disputes Act, 1947.

Reference No. 168 of 1990

PARTIES :

Employers in relation to the management of  
Hindustan Aluminium Corporation Ltd.  
(Hindalco Industries Ltd.)

AND

Their Workmen.

PRESENT :

Shri Tarkeshwar Prasad, Presiding Officer.

APPEARANCES :

For the Employers.—Shri G. Prasad,  
Advocate.

For the Workman.—Shri S. Pal, Advocate.

STATE : Bihar INDUSTRY : Bauxite

Dated, the 4<sup>th</sup> October, 1996

AWARD

By Order No. L-43012/8/90-IR.(Misc.) dated 1-8-1990 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

“Whether the action of the management of Hindustan Aluminium Corporation Ltd. (now changed to Hindalco Industries Ltd.) in terminating the services of Smt. Parbatia Devi, Laboratory Female worker with effect from 31-7-87 is justified. If not to what relief this female worker is entitled?”

2. The dispute has been settled out of the Tribunal. A memorandum of settlement has been filed in this Tribunal. I have gone through the terms of settlement and I find them quite fair and reasonable. I allow the prayer and pass an award in terms of the settlement. The memorandum of settlement shall form part of this award.

3. Let a copy of this award be sent to the Ministry as required under Section 15 of the Industrial Disputes Act, 1947.

Sd/-

TARKESHWAR PRASAD, Presiding Officer  
BEFORE THE PRESIDING OFFICER,  
CENTRAL GOVERNMENT INDUSTRIAL  
TRIBUNAL NO. I, DHANBAD

Reference No. 168 of 1990

Employers in relation to the Management of  
M/s. Hindalco Industries Limited,  
Lohardaga.

AND

Their Workmen.

The humble joint petition of Compromise on behalf of the parties most respectfully  
Sheweth :—

1. That the parties have amicably settled the industrial dispute relating to the aforesaid reference on the following terms and conditions :—

- (i) That, Smt. Parbatia Devi, the Workmen concerned, shall be taken as temporary Female Mazdoor at Hindalco Mines within 30 days of this joint petition of compromise accepted by the Hon'ble Tribunal.
- (ii) That, the workman shall not be paid wages or any other benefits for the intervening period between the date of dismissal and re-instatement.
- (iii) That, the workman shall be paid the wages as are payable to other workman working in the same category, and regularised thereafter.
- (iv) That, the workman shall have no other claim whatsoever as against the instant reference.
- (v) That, the workman shall maintain good conduct and should be indulge in any misconduct in future and if it is proved in a domestic enquiry, the management shall have the right to take disciplinary action as may be necessary.
- (vi) That, the management may transfer him to other establishment, as and when required, from time to time as per provision of the standing orders.
- (vii) That, it is agreed that this is an over all agreement/settlement in full and final settlement of all the claims of the workman arising out of the above reference.

(viii) That, the parties agreed that the settlement is fair, just and proper, and have set their hands after understanding the same.

(ix) That, it was also agreed that six copies of this settlement be filed before the Hon'ble Tribunal and the Tribunal may be prayed to pass an award in terms of the settlement.

It is, therefore, prayed that your honour may be graciously pleased to accept the settlement and pass an award in terms of the settlement and for this act of kindness the parties shall ever pray.

FOR THE WORKMEN :

(S. P. Sahu)

General Secretary, CBW Union  
Witness..Sd/-  
Advocate

FOR THE  
EMPLOYERS :

(N. K. Birla)

Agent of Mines  
Witness..Sd/-  
Advocate

नई दिल्ली, 10 अक्टूबर, 1996

का. आ. 3134 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स हिन्दाल को इण्डस्ट्रीज लिमि., के प्रबन्धन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, धनबाद के पंखाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-10-96 को प्राप्त हुआ था।

[एल.-43012/12/93-आई. आर. (विविध)]

बी. एम. डेविड डेस्क अधिकारी

New Delhi, the 10th October, 1996

S.O. 3144.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, No. I Dhanbad as shown in the Annexure, in the industrial dispute between the employers in relation to the management of M/s. Hindalco Industries Ltd. and their workmen which was received by the Central Government on 10-10-96.

[No. L-43012/12/93-IR (Misc)]

B. M. DAVID, Desk Officer

## ANNEXURE

BEFORE THE CENTRAL GOVERNMENT  
INDUSTRIAL TRIBUNAL NO. I, DHANBAD

In the matter of a reference under Section 10(1)

(d) of the Industrial Disputes Act, 1947

Reference No. 210 of 1994

PARTIES :

Employers in relation to the management of  
M/s. Hindalco Industries Limited

AND

Their Workmen.

PRESENT :

Shri Tarkeshwar Prasad, Presiding Officer.

APPEARANCES :

For the Employers—Shri G. Prasad, Advocate

For the Workmen—Shri S. Pal, Advocate.

STATE : Bihar

INDUSTRY : Bauxite

Dated, the 4th October, 1996

## AWARD

By Order No. L-43012/12/93-I.R. (Misc) dated 10-8-94 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

“Whether the action of the management of M/s. Hindalco Ltd. in terminating the services of S/Shri Jogeswar Uraon S/o Shri Birsu, Harinam Singh S/o Shri Sukhu Singh, Bhuneswar Singh S/o Shri Pandra Uraon and Jawahir Uraon S/o Shri Birsu Uraon w.e.f. 1-12-92 without paying them notice pay in lieu of notice of one month and retrenchment compensation is justified? If not, to what relief the workmen are entitled?”

2. The dispute has been settled out of the Tribunal. A memorandum of settlement has been filed in this Tribunal. I have gone through the terms of settlement and I find them quite fair and reasonable. I allow the prayer and pass an award in terms of the settlement. The memorandum of settlement shall form part of this award..

3. Let a copy of this award be sent to the Ministry as required under Section 15 of the Industrial Disputes Act, 1947.

TARKESHWAR PRASAD, Presiding Officer

BEFORE THE PRESIDING OFFICER CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. I, DHANBAD

Reference No. 210 of 1994

Employers in relation to the Management of M/s. Hindalco Industries Limited, Lohardaga.

AND

Their Workmen.

The humble joint petition of Compromise on behalf of the parties most respectfully sheweth :—

1. That, the parties have amicably settled the industrial dispute relating to the aforesaid reference on the following terms and conditions :—

- (i) That, (1) Shri Jageshwar Oraon, (2) Shri Harnam Singh (3) Shri Bhuneshwar Oraon (4) Shri Jawahir Oraon, the Workmen concerned, shall be taken as temporary Watchman at Hindalco Mines within 30 days of this joint petition of compromise accepted by the Hon'ble Tribunal.
- (ii) That, the workman shall not be paid wages or any other benefits for the intervening period between the date of dismissal and re-instatement.
- (iii) That, the workman shall be paid the wages as are payable to other workman working in the same category, and regularised thereafter.
- (iv) That, the workman shall have no other claim whatsoever as against the instant reference.
- (v) That, the workman shall maintain good conduct and should they indulge in any misconduct in future and if it is proved in a domestic enquiry, the management shall have the right to take disciplinary action as may be necessary.
- (vi) That, the management may transfer him to other establishment, as and when required, from time to time, as per provision of the standing orders.
- (vii) That, it is agreed that this is an overall agreement/settlement in full and final settlement of all the claims of the workman arising out of the above reference.
- (viii) That, the parties agreed that the settlement is fair, just and proper, and have

set their hands after understanding the same.

- (ix) That, it was also agreed that six copies of this settlement be filed before the Hon'ble Tribunal and the Tribunal may be prayed to pass an award in terms of the settlement.

It is, therefore, prayed that your honour may be graciously pleased to accept the settlement and pass an award in terms of the settlement and for this act of kindness the parties shall ever pray.

For the workmen :

(S. P. SAHU)

General Secretary, CBW Union

Witness :

Sd/- Illegible

Advocate

For the Employers :

(N. K. BIRLA)

Agent of Mines

Witness :

Sd/- Illegible

Advocate

नई दिल्ली 10 अक्टूबर, 1996

का.प्रा. 3145.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार व फ्लूइड कंट्रोल रिसर्च इंस्टिट्यूट के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निहित औद्योगिक विवाद में औद्योगिक अधिकरण, कोजीकोडे के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 8-10-96 को प्राप्त हुआ था।

[सं. एल 42012/11/92-आई प्रार (डीयू)]

बी. एम. डेविड, डेस्क अधिकारी

New Delhi, the 10th October, 1996

S.O. 3145.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal Kozhikode as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of The Fluid Control Research Institute and their workman, which was received by the Central Government on 8-10-96.

[No. I-42012/11/92-IR(DU)]

B. M. DAVID, Desk Officer

## ANNEXURE

IN THE LABOUR COURT, KOZHIKODE,  
KERALA STATE

Dated this the 3rd day of May, 1996

## PRESENT:

Shri P. Thankappan, B.Sc., B.L.,  
Presiding Officer.

I.D. (C) No. 1/93

## BETWEEN

The Director,  
The Fluid Control Research InstituteKozhikode West, Palakkad .....Management  
ANDSri Madhumohanam, S/o. Kunhikannan Nair,  
Mannil Veedu, Pedingothukurissi,  
Palakkad District. ....Workman

## REPRESENTATIONS:

Sri U. K. Ramakrishnan, Advocate, Palakkad—  
For Management.Sri K. K. Bhavadass Menon, Advocate, Palak-  
kad—Workman.

## AWARD

This is an industrial dispute entertained by this court on a reference made by the Government of India under Section 10(1)(c) of the Industrial Disputes Act, 1947. The dispute is between the management of Fluid Control Research Institute, Kozhikode West, Palakkad and their workman. The issue originally referred for adjudication as per order No. L-42012/11/92-IR(DU) dated 18-1-1993 was "whether the action of the management of Fluid Control Research Institute, Kozhikode West, Palakkad in terminating the service of Shri M. Madhumohanam, Casual Driver with effect from 4-1-1990 is justified? If not, what relief the workman concerned is entitled to?". Pursuant to the direction of the Hon'ble High Court in O.P. 7188/93 filed by the workman Sri Madhumohanam, the word 'Casual' in the reference order was deleted by the Central Government as per order dated 12-8-1993. The management (Fluid Control Research Institute) thereafter filed O.P. 11624/93 before the High Court challenging the decision of the word 'casual' from the reference order. Thereafter the Central Government by its order dated 21-9-1993 cancelled the earlier order dated 12-8-1993. In view of the cancellation of the said order the management has withdrawn the O.P. filed by them. The High Court while disposing of O.P. 7188/93 filed by the workman had directed the Central Government to consider and dispose of the representations made by the parties. After considering the representations received from all parties including the management and the workman and in view of the fact that the Labour Court while adjudicating the dispute involved in the case shall go

into the question whether the workman was a 'casual driver' or not, the Central Government by its order dated 20-10-1993 directed that the word 'casual' occurring in the schedule to the reference shall be deleted. So the order of reference dated 18-1-1993 which led to the present industrial dispute in effect is as follows :—

"Whether the action of the management of Fluid Control Research Institute, Kozhikode West, Palakkad in terminating the service of Shri M. Madhumohanam, driver, with effect from 4-1-1990 is justified? If not, what relief the workman is entitled to?"

2. The workman Sri Madhumohanam is an Ex-Serviceman. It is alleged that he was serving in the Army as a driver for about 15 years and was discharged from service with an exemplary certificate on character and skill and efficiency in work. After his discharge from service, he got himself registered with the Zilla Sainik Board, Palakkad for suitable employment. Pursuant to a letter dated 31-5-1988 from the management for interview and selection of driver the workman appeared before the Selection Board on 6-6-1988. The workman who was selected by the Selection Board was directed to report to the management immediately. On 27-6-1988 he reported to the management and he was thus appointed as a driver. He was being paid wages at the rate of Rs. 500 per month. The management had also informed him that he would be confirmed on completion of one year's service and would receive nava as per scales. In spite of repeated requests and even after a long lapse of time the workman was not confirmed in service as a permanent driver. On 4-1-1990 when he reported for duty the Gateman prevented his entry inside saying that he was dismissed from service. The action of the management is stated to be illegal and unjustifiable. Hence the workman raised an industrial dispute under the provisions of the Industrial Disputes Act seeking reinstatement as a permanent driver with full back wages, arrears of pay and allowance and all other statutory benefits.

3. The management in their counter-statement resisted the claim made by the workman. It is stated that the reference is null and void as the management institute is not an 'industry' coming within the purview of the Industrial Disputes Act. The management concern is a Research Institute. They had notified the existence of a temporary vacancy of driver in the establishment. Out of the 5 candidates appeared for interview nobody was found suitable for the post. However, the Selection Board recommended Shri Madhumohanam to be tried on casual basis for sometime. Sri Madhumohanam was accordingly engaged as a driver on casual basis from 27-6-1988 onwards. As the engagement was on casual basis no appointment order was issued to him by the Institute. He was never taken as an employee by the Institute on its rolls. It is alleged that Sri Madhumohanam was careless and negligent in his work. Due to his negligence, the vehicle driven by him met with an accident. Though the management had informed him on several occasions that it was not possible to engage him any further even on casual basis it acceded to the workman's request to engage him for some more time out of humanitarian consideration. However, the management was con-

strained to stop the casual engagement of the workman as he was found detrimental to the interest of the institute. The vacancy notified by the management was only a temporary vacancy of the driver. There is no question of dismissal from service since the workman was engaged purely on casual basis. The workman has no right for confirmation in the post of driver as he was never appointed against any permanent post. The casual engagement of the workman does not give any right to continue as a driver under the management. Sri Madhumohan is not a workman as defined in the Industrial Disputes Act and therefore, the dispute is not maintainable. Since the management has lost confidence in the workman Madhumohan he cannot be engaged any further as a casual driver. The workman is not entitled to any relief as claimed.

4. The points for consideration are :—

- (1) Whether the workman Sri Madhumohan was a casual driver or a permanent driver under the management ?
- (2) Whether the termination of service of the workman is justified ?
- (3) Reliefs?

5. The evidence in this case consists of the testimony of WW1 and Exts. W1 to W 24 on the workman's side, and MW1 and Exts. M1 to M8 series on the side of the management.

6. Points 1 to 3.—The workman Sri Madhumohan is an Ex-serviceman having 15 years service as a driver in Indian Army as evident from Ext. W1 certificate issued by the Officer Commanding. After his retirement he was employed as a driver in a private bus service for about 2½ years. He had thus about 17½ years experience as driver before his engagement in the management establishment. It is not disputed that the workman joined the service of the management on 27-6-1988. Ext. W3 is the letter dated 31-5-1988 sent by the management calling upon the workman whose name has been sponsored by the Zilla Sainik Board to appear before the Selection Board for a test and interview for the post of driver. Minimum 5 years driving experience in a Government department or reputed firm is the qualification prescribed for the post (vide Ext. M1 requisition by the management to the Employment Exchange and the Zilla Sainik Board). Preference has been given to Ex-Servicemen. Out of the 22 candidates called for interview, 5 appeared before the Selection Committee. On the basis of the practical test and interview conducted None of them was found suitable for the post. However, the Committee recommended the workman herein and another to be tried on casual basis for sometime to assess suitability for regular appointment (vide Ext. M3 Record Note of Interview). The management had approved the Record Note of Interview and decided to engage the workman Sri Madhumohan as driver on casual basis. Ext. W4 is the Telegram (copy) sent to the workman requiring him to report to the management immediately. He was

accordingly engaged for a period of 3 months with effect from 27-6-1988 (vide Ext. M8). The workman so engaged claims to have worked as a driver under the management from 27-6-1988 to 3-1-1990 i.e. about 18 months continuously. It is alleged that when he reported for duty on 4-1-1990 he was not permitted inside saying that he was dismissed from service as his services were no longer required. The fact that the workman was no longer in the service of the management after 3-1-1990 is not disputed by the management. The management would, however, contend that the engagement of Sri Madhumohan was purely on casual basis and therefore, he has no right to continue in service. According to them it is open to the management to terminate the engagement of the workman if his casual engagement is over or if his work is found unsatisfactory. It is stated that the workman during his intermittent engagement was found careless and inefficient in his work which gave rise to several complaints and also led to motor traffic accident and the workman was informed several times that it was not possible to continue his engagement as a casual driver. The learned counsel for the workman contended that since the expression casual is deleted from the referred order (Ext. M2) dated 20-10-1993 this court has no jurisdiction to decide whether the workman Sri Madhumohan was a casual driver or not and the court is to proceed on the basis that the workman was a permanent driver under the management. I am unable to accept this contention. It is to be noted that even if the Government refers an issue whether the termination of service of a driver under the management is justified or not without stating his status as permanent, temporary or casual the management has the right to contend before the Labour Court that the said driver is not a permanent driver and he was only a casual driver and then the court is bound to adjudicate the question whether the driver was a permanent or casual. Neither this court in Ext. W13 award (in an earlier reference by the State Government relating to the same issue) nor the High Court in Ext. W22 judgment in O.P. 7188/93 has held that the workman Madhumohan was a permanent driver under the management. It is, therefore, open to this court to decide whether Sri Madhumohan was a casual driver or not as it is an incidental question which crops for consideration in adjudicating the issue regarding the justifiability or otherwise of the termination of his service.

7. The learned counsel for the management submitted that the pleadings in the claim statement themselves would disclose that the workman was never appointed as a permanent driver and therefore he cannot be heard to contend that he was a permanent driver under the management. The above submission appears to be of some substance. It is averred in the claim statement that the workman on the engagement was informed that he would be paid at the rate of Rs. 25 per day during the first year and on completion of one year's service he would be confirmed in the post and then only he would receive pay as per scales. Soon after the completion of one year the workman started to represent orally for confirmation

and permanency. In spite of repeated representations both oral and writing in that behalf there was no positive response from the management. It is further alleged that on 30-12-1989 the workman sent a registered representation (Ext. W6) to the management requesting confirmation and permanency with effect from 28-6-1989. But there was no action from the management's side. It is therefore, clear from the above pleadings and Ext. W6 representation referred to above that the workman was not made a permanent driver by the management till 30-12-1989. It is also clear that he was not a permanent driver when his engagement was stopped was stopped on 4-1-1989 by the management. The workman when examined as WW1 has admitted that his name was sent by the Zilla Sainik Board to the management on the basis of Ext. M1 requisition. The above requisition was to fill up a vacancy of temporary driver. It is also seen from the evidence of WW1 that he would not give any written appointment order and his engagement was only oral. He has also admitted that there is no order or any other record showing that he was a permanent driver. The management has also not issued any order after 28-6-1988 stating that after one year he would be made permanent. The workman has also stated that he was getting wages only on daily rated basis as per voucher. His name will not be seen in the Salary Register of permanent employees. Admittedly all permanent employees under the management had scale of pay. The workman claims that his name will be seen in the Attendance Register of the permanent employees of the management. Exts. M4 and M5 are the Attendance Registers of Technical and Non-technical staff from January 1988 to December 1990. But the name of the workman is not seen in these registers. At the same time the name of permanent driver Sri Prabhakaran is there in the Attendance Register. If as a matter of fact the workman Madhumohan was a permanent driver as alleged his name also would have been included in the Attendance Register. In the circumstances it has to be inferred that the workman Madhumohan was not working as a permanent driver under the management when his engagement was stopped on 4-1-1990.

8. The management's contention that the workman was only a casual driver is supported by the evidence adduced on the side of the management. We have already seen that the vacancy of driver is shown in Ext. M1 requisition as 'temporary but likely to continue beyond one year'. Ext. M3 is the Record Note of Interview made by the Selection Committee. It is seen from Ext. M3 that out of the 5 candidates appeared before the Selection Committee none of them was found suitable for the post on the basis of the practical test and interview conducted. The Committee has however, recommended the workman Madhumohan and another to be tried on casual basis for sometime to assess the suitability for regular appointment as driver if their performance, conduct, character etc. are found satisfactory. It was on the basis of the above recommendation that the management has engaged the workman Sri Madhumohan as a driver on casual basis. Exts. M7 and M8 internal notes also would show that he was engaged on

casual basis. The initial engagement as evident from Ext. M7 was for a period of 3 months from 27-6-88. Thereafter he was again engaged on casual basis for a further period of 2 months from 26-9-1988 as evident from Ext. M8. The Personnel Manager of the management Institute (MW1) says that a permanent driver can be appointed only as per the Staff Rules (Ext. M6). It is to be noted that the scale of pay of permanent employees, mode of recruitment, probation etc. are provided under the Staff Rules. Admittedly the workman Madhumohan was not taken as per Ext. M6 Staff Rules. MW1 has further stated that the Staff Rules are not applicable to the casual employees. If the workman had been appointed as a permanent driver he would have been on probation for a period of one year as provided under the Staff Rules. The workman has no case that he was on probation for any period after his initial appointment. The absence of any appointment order containing the terms of employment including the scale of pay, probation etc. itself is a clear indication that the engagement of the workman based on the Selection Committee's recommendation (Ext. M3) was purely on casual basis.

9. The learned counsel for the workman would contend that there was a vacancy of permanent driver in the management establishment at the relevant time and therefore, the workman inducted against such a vacancy is not a temporary worker. Ext. W2 is a communication dated 25-2-1987 conveying the approval of the Central Government for the creation of certain posts including a driver's post in the scale of Rs. 260-290 for the management Institute. According to the workman the total sanctioned strength of drivers was 2 at the time of his appointment. Ext. W5 is the minutes of the Governing Council meeting of the management held on 21-12-1988. It is seen from annexure B to Ext. W5 that the sanctioned strength of drivers as on 15-12-1988 has been filled up. The above document, according to the workman, is a clear proof that he was appointed as a permanent driver against a permanent post created by the Central Government as per Ext. W2 referred to above. The existence of any permanent vacancy by itself is not sufficient to arrive at a conclusion that the person appointed is a permanent employee. The nature of appointment, terms and conditions of employment etc. are the material considerations to determine whether an employee is a permanent employee or not. We have seen that the workman was initially employed on the recommendation of the Selection Committee as evident from Ext. M3. It is clear from Ext. M3 that there was no suitable candidate for the post of driver which according to Ext. M1 requisition is temporary. The recommendation of the Selection Committee, however, was to engage the workman herein or another on casual basis for sometime to assess the suitability for regular appointment based on their performance, conduct and character. It was after approving the above recommendation that the management engaged the workman on casual basis as evident from Exts. M7 and M8. The question of regular appointment to the post of driver in the scale of Rs. 950—1400 as mentioned in Ext. M3 arises only if the workman is found suitable for the post. Unless and until he is found suitable for the post based on

his performance, conduct, and character he cannot be considered for regular appointment. It was because his performance was found unsatisfactory that the management has stopped his casual engagement. In other words even at the time of terminating the casual engagement of the workman on 4-1-1990 he was not suitable to be considered for regular appointment. I, therefore, hold that the workman Sri Madhumohanam was only a casual driver engaged by the management for sometime with the hope of being considered for regular appointment if his performance, conduct and character are found satisfactory.

10. The next question to be considered is whether the termination of service of the workman is illegal and unjustifiable. We have already seen that the workman Sri Madhumohanam was only a casual driver under the management. It is well settled that a casual employee has no legal right to claim employment or to continue in any post. The management can stop the engagement of any casual employee at any time without assigning any reason. It is for the management to decide whether a casual employee is to be engaged for any work. In the instant case the management is stated to have stopped the engagement of the workman for justifiable reasons. According to the management, there were several complaints against the workman as he was very careless and negligent in driving. His careless driving on one occasion led to a motor traffic accident. It is further stated that the guests of the management including foreign dignitaries had complained about his rash and negligent driving. He is also stated to have been inefficient in his work. Since the management has lost confidence in the workman Sri Madhumohanam for the above reasons the management had informed him several times that it was not possible to engage him as a casual driver any further. It was under these circumstances that the management stopped the engagement of the workman with effect from 4-1-1990. No doubt, it is unsafe, to engage a person as a driver in whom the employer has lost confidence with regard to his efficiency and honesty. If the employer is satisfied that his driver is not efficient or he is rash and negligent in driving he is fully justified in terminating the latter's service. In spite of repeated warning with regard to his inefficiency and carelessness in his work the workman did not try to improve himself. So the management was constrained to stop the engagement of the workman as a casual driver. Inefficiency and negligence in driving as I already pointed out is a sufficient ground to terminate the service of a driver. The termination of casual engagement of the workman Sri Madhumohanam in the circumstances must be held to be justified.

11. It is contended by the learned counsel for the workman that the termination of service of the workman on 4-1-1990 is illegal as it was in violation of Chapter V-A of the Industrial Disputes Act. This contention does not appear to have any merit at all. It is to be noted that there is no pleading in the claim statement filed by the workman that the termination of service was retrenchment or that the management has violated the provisions contained in Chapter V-A of the Industrial Disputes Act. The workman had no

such case while in the box also. In other words the above contention regarding the alleged violation of the provisions of Chapter V-A is a new contention raised by the workman's counsel at the time of his argument. Chapter V-A relates to lay-off and retrenchment. There

is no case. The management had laid off the workman. So the provisions regarding lay-off are not applicable to the present case. The workman has also no case of retrenchment either in the claim statement or in the oral evidence. It is to be noted that a workman is entitled to claim immunity from being sent out from service only if he has completed 240 days of continuous service. There is no pleading to the effect that the workman Madhumohanam had completed 240 days of continuous service under the management and that the termination of his service is retrenchment coming under the Industrial Disputes Act. The retrenchment effected in violation of the mandatory provisions of section 25F of the Industrial Disputes Act, no doubt, is illegal and inoperative. It is for the workman to prove that he had completed 240 days of continuous service under the management. Except the interested version of WW1, the workman that he had worked under the management from 27-6-1988 to 4-1-1990 there is no reliable and convincing evidence on record to establish that he had worked for 240 days in a year. Merely because he was engaged on 27-6-1988 on casual basis and his engagement was terminated on 4-1-1990 it cannot be inferred in the absence of any positive evidence that he had completed 240 days of continuous service under the management especially when he was engaged only as a casual driver according to the casual requirement. The termination of his engagement for inefficiency and negligence in driving in the circumstances does not amount to retrenchment as contemplated under section 25F of the Industrial Disputes Act. Therefore, there is no merit in the contention canvassed on behalf of the workman that the management has violated the provisions of Chapter V-A of the Industrial Disputes Act.

12. I have already found that the workman Sri Madhumohanam was only a casual driver engaged by the management according to the availability of work. We have also seen that there was sufficient reason for terminating the casual engagement of the workman. The management is, therefore, justified in terminating the casual engagement of the workman when he was found inefficient, indifferent and dishonest in his work. The management has also not violated the provisions of Chapter V-A of the Industrial Disputes Act as there was no retrenchment as contemplated under the Act. In the circumstances the workman is not entitled to any relief as claimed. An award is accordingly passed rejecting the workman's claim.

Dictated to the Confidential Assistant, transcribed by him, revised, corrected and passed by me on the 3rd day of May, 1996.

P. THANKAPPAN, Presiding Officer

#### APPENDIX

Witnesses examined on the side of the Workman:—

WW1—Madhumohanam.

## Witnesses examined on the side of the Management:

MW1—K. L. Raphael.

Ext. W16— —do— dt. 11-7-1991.

Ext. W17— —do— dt. 24-10-1991.

## Documents marked on the side of the Management:—

Ext. M1—Requisition Form issued by the management for calling applications from Employment Exchanges.

Ext. M2—The Order of the Govt. No. L-42012/11/92-IRDU) dt. 20-10-1993 regarding the issue referred for adjudication.

Ext. M3—Record Note of Interview for the post of Driver.

Ext. M4—Attendance Register.

Ext. M5 —do—

Ext. M6—FCRI Staff Rules.

Ext. M7—Office Note dt. 1-8-1988 by the Personnel Officer regarding the casual engagement of the worker.

Ext. M8— —do— dt. 27-10-1988.  
—do—

नई दिल्ली, 10 अक्टूबर, 1996

का.प्र.3146.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारत सरकार मन्त के प्रबन्धतंत्र के सबद्ध नियोज को और उनके कर्मकारों के बीच अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण, हैदराबाद पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 7-10-96 को प्राप्त हुआ था ।

[स. एल-42011/41/94-आई आर (डीयू)]

बी.एम. डेविड, डेस्क अधिकारी

New Delhi, the 10th October, 1996

S.O. 3146.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal Hyderabad as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of India Government Mint. and their workmen, which was received by the Central Government on 8-10-96

[No. L-42011/41/94-IR (DU)]

B. M. DAVID, Desk Officer

## ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL-I,  
HYDERABAD

## PRESENT :

Sri V. V. Raghavan, BA., LL.B., Industrial Tribunal-I.

Dated : 9th day of August, 1996

Industrial Dispute No. 16 of 1996

## BETWEEN

The General Secretary, Hyderabad Mint Employees Union, Saifabad, Hyderabad-500 004. . . Petitioner

## AND

The General Manager, India Government Mint, Post Bag No. 14, Hyderabad-500 004. . . Respondent

## APPEARANCES :

M/s. P. Guru Murthy and V. Venkateswar Rao., Advocates for the Petitioner.

Sri P. Damodar Reddy, Advocate for Respondent.

## Documents marked on the side of the Workman:—

Ext. W1—Conv of the certificate issued to the worker by the office commanding.

Ext. W2—Conv of the letter dt. 25-2-1987 sanctioning the post of Driver by the Govt. of India.

Ext. W3— —do— dt. 31-5-1988 for interview to the post of Driver.

Ext. W4—Conv of the telegram.

Ext. W5— —do— of the review of Project Progress.

Ext. W6— —do— of the Recd. letter dt. 30-12-1989 sent to the Additional Director by the worker.

Ext. W7—Conv of the petition dt. 4-1-1990 submitted to the Circle Inspector of Police by the worker.

Ext. W8—Conv of the Lawyer notice dt. 5-1-90 sent to the Addl. Director by Adv. for worker

Ext. W9—Conv of the reply notice dt. 19-1-1990 sent by the management to the Adv. for worker.

Ext. W10—Conv of the application to the D.L.O. Palakkad by the worker.

Ext. W11— —do— of the letter dt. 18-4-1990 sent to the Labour Commissioner by the D.L.O. Palakkad.

Ext. W12— —do— of the reference order No G.O. (Et) 1662/90/LBR dt. 21-6-1990.

Ext. W13— —do— statement dt. 9-5-1991 made by the management before ALC, Ernakulam.

Ext. W15—Conv of the notice of conciliation proceeding issued by ALC.

## AWARD

The Government of India, Ministry of Labour, New Delhi made a reference to this Tribunal by its Order No. 42011/41/94-IR(DU) dated 26-1-1996 under Section 10(1)(d) & 2A of the Industrial Disputes Act, 1947 for adjudication of the Industrial Dispute mentioned in its schedule which reads as follows :

"Whether the action of the management of India Government Mint is justified in not making when the actual prescribed working hours are 37 1/2 ?

If not, what relief the workmen appointed for 44 hours of working are entitled to ?"

2. After receipt of the notice issued by this Tribunal, Advocates appeared and filed their Vakalats for the Petitioner as well as the Respondent. Subsequently on 9-8-1996 Petitioner filed I.A. No. 101/96 to withdraw the industrial dispute and the said petition is allowed. Hence, in view of the petition, this Industrial Dispute is closed.

Given under my hand and the seal of this Tribunal, this the 9th day of August, 1996

V. V. RAGHAVAN, Industrial Tribunal-I

Appendix of evidence

NIL

नई दिल्ली, 10 अक्टूबर, 1996

क.आ. 3147.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार धूर संचार के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच अनुबंध में निदिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण, हैदराबाद के पचाट को प्रकाशित करती है, जो केन्द्रीय कार को 8-10-96 प्राप्त हुआ था।

[सं. एल-40012/87/95-आई आर (डीयू)]

बी. एम. डेविड, डेस्क अधिकारी

New Delhi, the 10th October, 1996

S.O. 3147.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal Hyderabad as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Telecom and their workman, which was received by the Central Government.

[No. 40012/87/95-IR(DU)]

B. M. DAVID, Desk Officer

## ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL-I AT HYDERABAD

PRESENT :

Sri V. V. Raghavan, B.A., LL.B., Industrial Tribunal-I.

Dated : 7th day of August, 1996

INDUSTRIAL DISPUTE NO. 61 OF 1996

BETWEEN

Sri P. Inthiyas Ali S/o Saheeb Khan, Kutegulla (Village) Kadiri 515 591) Ananthapur Dist. . . Petitioner

AND

The S.D.D., Telecom, Near Railway Station, Dharmavaram, Ananthapur Dist. 515 591. . . Respondent

APPEARANCES :

Sri P. Damodtar Reddy, Advocate for the Respondent.

Petitioner set exparte.

## AWARD

The Government of India, Ministry of Labour, New Delhi, made a reference to this Tribunal by its order No. L-40012/87/95-IR(DU) dt. 30-4-1996 under Section 10(i)(d) and 2 A of the Industrial Disputes Act, 1947 for adjudication of the industrial dispute mentioned in its schedule which reads as follows :

"Whether the management of SDO TELECOM Dharmavaram is justified in terminating the services of Sri P. Inthiyas Ali ? If not, to what relief the workman is entitled to ?"

2. After receipt of the above reference, this Tribunal issued notice to both the parties and both parties have acknowledged the receipt of notice. Subsequently, the Respondent filed a petition to close the industrial dispute as the Petitioner workman obtained a favourable order from the Central Administrative Tribunal, Hyderabad Bench. That petition was allowed. Hence this industrial dispute is closed.

Typed to my dictation, given under my hand and the seal of this Tribunal, this the 7th day of August 1996.

V. V. RAGHAVAN, Industrial Tribunal-I, Hyd.

Appendix of evidence

NIL

नई दिल्ली, 10 अक्टूबर, 1996

## AWARD

का. आ. 3148.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार पेशरा यू.सी. मिका माईन बी.एस.एम. डी.सी. लि., तथा वर्कमैन के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, धनबाद के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-10-96 को प्राप्त हुआ था।

[सं. एल.-28012/1/94-आई. आर. (विधि)]

बी. एम. डेविड, डेस्क अधिकारी

New Delhi, the 10th October, 1996

S.O. 3148.—In pursuance of Section II of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal No. 2 Dhanbad as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Peshra U.C. Mica Mine, BSMDC Ltd., and their workman, which was received by the Central Government on the 10-10-1996.

[No. L-28012/1/94-IR (Misc.)]

B. M. DAVID, Desk Officer

## ANNEXURE

BEFORE THE CENTRAL GOVERNMENT  
INDUSTRIAL TRIBUNAL NO. 1, DHANBAD

In the matter of a reference under section 10(1)(d)  
of the Industrial Disputes Act, 1947

Reference No. 271 of 1994

## PARTIES :

Employers in relation to the management of  
Peshra U. C. Mica Mine, B.S.M.D.C. Ltd.

## AND

Their Workmen.

## PRESENT :

Shri Tarkeshwar Prasad, Presiding Officer.

## APPEARANCES :

For the Employers : Shri H. Nath, Advocate.

For the Workmen : None.

STATE : Bihar.

INDUSTRY : Mica.

Dated, the 4th October, 1996

By Order No. L-28012/94.I.R. (Misc.) dated 15-11-1994, the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-sec. (1) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

"Whether the action of the management of Peshra U.C. Mica Mine, Kodarma of B.S.M.B.C. Ltd. in removing Shri Kali Barhi from the services of the company is justified ? If not, to what relief the workman is entitled and from which date ?"

2. The order of reference was received in this Tribunal on 6-12-1994. Thereafter notices were issued to the parties to file written statement by the workmen, but none appeared on behalf of the workman to take step in this reference. Despite several adjournments no written statement was filed on behalf of the workman. Again notice was sent to the workman. In spite of that neither the concerned workman appeared nor any written statement was filed by him. Therefore, it appears that the concerned workman is not interested to prosecute the present dispute.

3. In such circumstances, I pass a 'No Dispute' award in the present reference case.

TARKESHWAR PRASAD, Presiding Officer

नई दिल्ली, 10 अक्टूबर, 1996

का. आ. 3149.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार डाक के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में औद्योगिक अधिकरण, अहमदाबाद के पंचाट को प्रकाशित करती है जो केन्द्रीय सरकार को 8-10-96 प्राप्त हुआ था।

[सं. एल.-40011/13/95-आई आर (डीयू)]

बी. एम. डेविड, डेस्क अधिकारी

New Delhi, the 10th October, 1996

S.O. 3149.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal Ahmedabad as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Post and their workman, which was received by the Central Government on 8-10-1996.

[No. L-40011/13/95-IR (DU)]

B. M. DAVID, Desk Officer

## ANNEXURE

BEFORE SMT. N. J. SHELAT, INDUSTRIAL  
TRIBUNAL (CENTRAL) AHMEDABAD

Ref. (ITC) No. 7 of 1996

## ADJUDICATION

BETWEEN

Chief Post Master General, Vadodara.

AND

The workmen employed under it.

In the matter of termination of Shri M. K. Nagar,  
postman, Rajpura branch, Vadodara.

## APPEARANCES :

Shri G. R. Solanki, Asstt. Supdt. of Post Office,  
Vadodara, for the first party.

## AWARD

This industrial dispute between the Chief Post Master General, Vadodara and the workmen employed under it has been referred for adjudication under section 10(1)(d) of the Industrial Disputes Act, 1947 by Govt. of India, Ministry of Labour, New Delhi vide its order No. L-46011-17-95-IRCD dtd. 27th August, 1996 to the Industrial Tribunal Ahmedabad.

2. During the course of proceedings notices were issued to both the parties calling upon them to file their respective statements. However, so far no statement of claim has been filed by the second party workman. In the absence of statement of claim, no written statement is filed by the first party. Thus there is no material on the record of this Tribunal to proceed further with this matter. Hence for want of prosecution this Tribunal is constrained to dismiss the reference and accordingly it stands disposed off with no order as to cost.

SECRETARY, AHMEDABAD,

6th September, 1996.

N. J. SHELAT, Industrial Tribunal

नई दिल्ली, 10 अक्टूबर, 1996

का.ग्रा. 3150.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दूर संचार के प्रबंधन के संबद्ध नियोजकों कर्मचारियों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण धनबाद नं. 1 के पंचाट को प्रकशित करती है, जो केन्द्रीय सरकार को 8-10-96 को प्राप्त हुआ था।

[स. एल. 40012/47/93-आई आर (डीयू)]

बी. एम. डेविड, डेस्क अधिकारी

New Delhi, the 10th October, 1996

S.O. 3150.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of

the Central Government Industrial Tribunal Dhanbad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Telecommunication and their workman, which was received by the Central Government on 8-10-1996.

[No. L-40012/47/93-IR (DU)]

B. M. DAVID, Desk Officer.

## ANNEXURE

BEFORE THE CENTRAL GOVERNMENT  
INDUSTRIAL TRIBUNAL NO. 1, DHANBAD.

In the matter of a reference under sec. 10(1)

(d) of the I. D. Act.

Reference No. 182 of 1994.

## PARTIES :

Employers in relation to the management of  
Telecommunication, Bihar Circle, Patna.

AND

Their Workmen.

## PRESENT :

Shri Tarkeshwar Prasad, Presiding Officer.

## APPEARANCES :

For the Employers : Shri G. K. Mukherjee,  
Advocate.For the Workmen : Shri D. Mukherjee, Ad-  
vocate.

STATE : Bihar. INDUSTRY : TELECOM.

Dated, the 23rd September, 1996.

## AWARD

By Order No. L-40012/47/93-I.R. (DU), dated 25-7-1994 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal:

"Whether the action of the management of Telecommunication Bihar Circle, Patna in terminating the services of Shri Dev Prakash Singh, working as Casual Labour in the Office of SDO(T) Sasaram w.e.f. 1-2-1990 is proper, legal and justified? If not, to what relief is the workmen entitled for?"

2. The present reference relates to Telecommunication Bihar Circle, Patna. But in view of the decision of the Hon'ble Supreme Court reported in 1996 Lab. I. C. 1059 between Sub-Divisional Inspector of Post, Vaikam and others V/S. Theyyam Joseph etc., this reference is not maintainable under Industrial Disputes Act, 1947, with option to the workman to file the case before appropriate forum, if he so likes.

3. Accordingly, I dispose of the present reference case as not maintainable under the Industrial Disputes Act, 1947.

TARKESHWAR PRASAD, Presiding Officer.

नई दिल्ली, 14 अक्तूबर, 1996

का. प्रा. 3151.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 34) की धारा 17 के अनुसरण में केन्द्रीय सरकार दूर संचार के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नं. 1 धनबाद के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 8-10-96 को प्राप्त हुआ था।

[सं. एल-40012/49/93-आईआर (डी यू)]

बी. एम. डेविड, डेस्क अधिकारी

New Delhi, the 4th October, 1996

S.O. 3151.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal No. I Dhanbad as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Telecommunication and their workman, which was received by the Central Government on 8-10-1996.

[No. L-40012/49/93-IR (DU)]

B. M. DAVID, Desk Officer.

#### ANNEXURE

#### BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. I, DHANBAD

In the matter of a reference under section 10 (1) (d) of the Industrial Disputes Act, 1947.

Reference No. 181 of 1994.

#### PARTIES :

Employers in relation to the management of Telecommunication Bihar Circle, Patna.

AND

Their Workmen.

#### PRESENT :

Shri Tarkeshwar Prasad, Presiding Officer.

#### APPEARANCES :

For the Employers : Shri G. K. Mukherjee, Advocate.

For the Workmen : Shri D. Mukherjee, Advocate.

STATE : Bihar. INDUSTRY : Telecom.

Dated, The 23rd September, 1996

#### AWARD

By Order No. L-40012/49/93-I.R. (D.U.), dated 25-7-1994 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :—

“Whether the action of the management of Telecommunication Bihar Circle, Patna in terminating the services of Shri Baliram Singh, working as Casual Labour in the Office of the SDO(T) Sasaram w. e. f. 1-2-1990 is proper, legal and justified? If not, to what relief the workman concerned is entitled for?”

2. The present reference relates to Telecommunication Bihar Circle, Patna. But in view of the Hon'ble Supreme Court reported in 1996 Lab. I. C. 1059 between Sub-Divisional Inspector of Post, Vaikam and others V/S. Theyyam Joseph etc. where it has been held that Postal and Telecommunication Department is not industry, this reference is not maintainable under Industrial Disputes Act, 1947, with option to the workman to file the case before appropriate forum, if he so likes.

3. Accordingly, the present reference case is disposed of as not maintainable under the Industrial Disputes Act, 1947.

TARKESHWAR PRASAD, Presiding Officer.

नई दिल्ली, 14 अक्तूबर, 1996

का. प्रा. 3152.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार पोस्टल सिविल डिविजन के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नं. 1 धनबाद के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 8-10-96 को प्राप्त हुआ था।

[सं. एल-40812/16/93-आईआर (डी यू)]

बी. एम. डेविड, डेस्क अधिकारी

New Delhi, the 14th October, 1996

S.O. 3152.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal No. 1, Dhanbad as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Postal Civil Division and their workman, which was received by the Central Government on 8-10-1996.

[No. L-40012/16/93-IR(DU)]

B. M. DAVID, Desk Officer

**ANNEXURE**

नई दिल्ली, 14 अक्टूबर, 1996

**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, DHANBAD**

In the matter of a reference under section 10 (1) (d) of the Industrial Disputes Act, 1947.

Reference No. 114 of 1994.

**PARTIES :**

Employers in relation to the management of Postal Civil Division, Ranchi.

**AND**

Their Workmen.

**PRESENT :**

Shri Tarkeshwar Prasad, Presiding Officer.

**APPEARANCES :**

For the Employers : Shri S. Pal, Advocate.

For the Workmen : Shri D. Mukherjee, Advocate.

STATE : Bihar.

INDUSTRY : Postal.

Dated, The 23rd September, 1996

**AWARD**

By Order No. L-40012/16/93-I.R. (D.U.), dated 5-5-1994 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :—

"Whether the action of the management of Postal Civil Division, Ranchi in terminating the services of Shri Raj Kumar w.e.f. 13-6-1990 is justified? If not, to what relief he is entitled to?"

2. The present reference relates to Postal Civil Division, Ranchi. But in view of the decision of the Hon'ble Supreme Court reported in 1996 Lab. I. C. 1059 between Sub-Divisional Inspector of Post, Vaikam and others Vs. Theyyam Joseph etc. where it has been held that Postal and Telecommunication Department is not industry, this reference is not maintainable under Industrial Disputes Act, 1947, with option to the workman to file the case before appropriate forum, if he so likes.

3. Accordingly, the present reference case is disposed of as not maintainable under the Industrial Disputes Act, 1947.

**TARKESHWAR PRASAD, Presiding Officer**

का. आ. 3153.—औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार माडल स्कूल धार मेन्टली डेफिसियन्ट चिल्ड्रन के प्रबन्धन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नई दिल्ली, के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-10-96 को प्राप्त हुआ था।

[सं. एल-42011/6/85-डी-II (बी)]

बी. एम. डेविड, डेस्क अधिकारी

New Delhi, the 14th October, 1996

S.O. 3153.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal New Delhi as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Mentally Deficient Children Model School and their workman, which was received by the Central Government on 10th October, 1996.

[No. L-42011/6/85-D.II(B)]

B. M. DAVID, Desk Officer

**ANNEXURE**

**BEFORE SHRI GANPATI SHARMA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, NEW DELHI**

I.D. No. 118/88

In the matter of dispute between:

Sri Mukh Ram Prasad Maurya,  
C/o New Delhi General Mazdoor Union,  
B-99, Gulmohar Park, New Delhi.  
Versus

The Management of Model School for Mentally Deficient Children, Kasturba Niketan, Lajpat Nagar, New Delhi.

**APPEARANCES :**

Shri T. M. Nagrajan—for the workman.

Shri V. P. Gupta—for Model School Management.

**AWARD**

The Central Government in the Ministry of Labour vide its Order No. L-42011/6/85-D. II(B) dated 17th June, 1987 has referred the following industrial dispute to this Tribunal for adjudication :

"Whether the action of the management of Model School for Mentally Deficient Children terminating the services of Shri Mukh Ram Prasad Maurya, Chowkidar from 2nd October, 1984 vide order dated 29th September, 1984 is legal and justified? If not, to what relief the workman is entitled?"

1. In his statement of claim, the workman concerned has stated that he had been working as a Chowkidar w.e.f. 28th January, 1983. By means of an order dated 29th September, 1984 his services were terminated illegally and wrongfully. He has not been paid one month's notice pay and refreshment compensation at the time of termination of his ser-

VICES. It is also alleged by him that previously also his service were terminated illegally and wrongfully w.e.f. 17th May, 1984 vide order dated 16th May, 1984, however, he was later on reinstated with continuity of service and full back wages. It is also alleged by him that the post of Chowkidar, which he was holding, is permanent. It is also stated by him that he is unemployed since termination of his services w.e.f. 2nd October, 1984. It has also been alleged by him that the management has been indulging in unfair labour practice such as keeping workers as temporary in permanent vacancy and re-appointing them after giving break. He has claimed his reinstatement with continuity of service and full back wages.

2. In their written statement, the management have denied the allegations and have raised preliminary objections that the Model School for Mentally Deficient Children, is not an 'industry', that the Central Government is not the appropriate Government under Section 2(a) of the I.D. Act, 1947, the State Government, i.e., Delhi Administration for Delhi Union Territory is the appropriate Government, hence the reference is without jurisdiction; that the Central Government Industrial Tribunal, Kanpur had given no claim award which had been published on 25th September, 1987 and the action of the Tribunal in setting aside the same is void and without jurisdiction and that the order of the Central Government withdrawing the said dispute and transferring the same to Central Government Industrial Tribunal, New Delhi, is not in order.

3. On merits, it has been stated by the management that the workman concerned could never have been employed as a regular employee as he had been sponsored by the Employment Exchange (Okhla), which was competent to sponsor candidates for casual and daily rate employment only. It has been further stated that the termination of the service of the workman was strictly under the stipulation contained in the letter of appointment, hence it is not retrenchment within the meaning of Section 2(oo) of the I.D. Act, 1947. Therefore, termination of service of the workman concerned is legal and justified.

4. The management has examined Smt. Sudesh Dhinra, Principal of Model School for Mentally Deficient Children, Lajpat Nagar, New Delhi as MW1. Copy of order dated 25th August, 1986 and that of the Memorandum of Association of National Institute for Mentally Handicapped have been annexed with written statement.

5. The workman concerned has examined himself as WW1 and has filed six documents vide his list of documents dated 6th March, 1989. The Attendance Registers of the relevant period, got summoned by the workman, were also brought on record.

6. I have heard the representative of the parties.

7. Before I proceed any further, it would be just and proper first to examine as to whether Model School for Mentally Deficient Children, Kasturba Niketan, Lajpat Nagar, New Delhi falls within the ambit of the definition of 'Industry' under Section 2(i) of the I.D. Act, 1947 or not. Both the parties have based their divergent contention on the case law laid down by the Hon'ble Supreme Court in the case of Banalore Water Supply and Sewerage Board Vs. A. Rajappa reported in 1979 AIR SC. page 1356. In the said case the Hon'ble Supreme Court has observed as under:

"1. 'Industry', as defined in S. 2(i) and explained in Banerji (AIR 1933 SC 58) has a wide import.

(a) Where (i) systematic activity, (ii) organised by co-operation between employer and employee (the direct and substantial element is chimerical) (iii) for the production and/or distribution of goods and services calculated to satisfy human wants and wishes (not spiritual or religious but inclusive of material things or services geared to celestial bliss i.e. making, on a large scale prasad or food) prima facie, there is an 'industry' in that enterprise.

(b) Absence of profit motive or gainful objective is irrelevant, be the venture in the public joint, private or other sector.

(c) The true focus is functional and the decisive test is the nature of the activity with special emphasis on the employer-employee relations.

(d) If the organisation is a trade or business it does not cease to be one because of philanthropy animating the undertaking."

Evolving the dominant nature test, it has been held that:—

"(a) Where a complex of activities, some of which qualify for exemption, others not, involves employees on the total undertaking, some of whom are not 'workmen' as in the University of Delhi case (AIR 1963 S.C. 1873) or some departments are not productive of goods and services if isolated, even then, the predominant nature of the services and the integrated nature of the departments as explained in the Corporation of Nagpur (AIR 1960 S.C. 675) will be the true test. The whole undertaking will be 'Industry' although those who are not 'workmen' by definition may not benefit by the status.

(b) Notwithstanding the previous clauses, sovereign functions, strictly understood, (alone qualify for exemption, not the welfare activities or economic adventures undertaken by government or statutory bodies).

(c) Even in departments discharging sovereign functions, if there are units which are industries and they are substantially severable, then they can be considered to come within S. 2(j)."

8. It has been the argument of the management representative that the Model School for Mentally Deficient Children, Kasturba Niketan, Lajpat Nagar (hereinafter referred to as 'Model School') admits mentally retarded children on charitable grounds charging no tuition fees and trains children by psychological method to look after themselves, attend to their physical needs and also learn some jobs to engaged themselves. The school is run by the employers, which is a Society registered under the Society Registration Act and does not provide means of livelihood to the employers and it is not an industry within the meaning of the terms as defined in the Industrial Disputes Act, 1947.

9. In the case cited hereinbefore, it has been held that absence of profit motive or gainful objective is irrelevant, be the venture public, private or other sector. It has been further held by the Hon'ble Supreme Court that 'Industry', as defined in Section 2(j) and explained has a wide import:

(a) Where (i) systematic activity, (ii) organized by co-operation between employer and employee (the direct and substantial element is chimerical) (iii) for the production and/or distribution of goods and services calculated to satisfy human wants and wishes (not spiritual or religious but inclusive of material things or services geared to celestial bliss, i.e. making, on a large scale (Prasad or Food) prima facie, there is an 'industry' in that enterprises.

(b) Absence of profit motive or gainful objectives is irrelevant, be the venture in public, private or other sector.

(c) The true focus is functional and the decisive test is the nature of the activity with special emphasis on the employer-employee relations. It has been held by the Hon'ble Supreme Court that there are three categories of charitable institutions. The first is where the enterprise like any other, yields profits, but they are syphoned off for ultimate objects. The second is one where the institution make no profits, but hires the service of the employees as in other like business, but the goods and services, which are the output, are made available at low or not cost to the indigent needy, who are priced out of the market. The third is whether the establishment is originated on a humane mission fulfilled by men who work, not because they are paid wages but because they share the passion for the cause and derive job-satis-

faction from their contributions. The Hon'ble Supreme Court held that the first two categories would fall within the definition of 'industry', while the third would not on the assumption that they all involved co-operation between employers and employees. In the present case in hand, as per facts on record, the Model School comes under second category and, therefore, it can safely be held that the Model School falls within the definition of 'industry' attracting provisions of I.D. Act, 1947.

10. Hence, held that the Model School for Mentally Deficient Children, Kasturba Niketan, Lajpat Nagar, New Delhi is an 'Industry'.

11. The other contention of the management that the order of the Central Government Industrial Tribunal, Kanpur, setting aside the Award already published, has no force. Sub-Section (3) of Section 20 of the I. D. Act, 1947, provides that the proceedings before the Tribunal would be deemed to continue till the date on which the Award becomes enforceable under Section 17-A of the I. D. Act. Under Section 17-A of the I. D. Act., an Award becomes enforceable on the expiry of 30 days from the date of its publication under Section 17. The proceedings with regard to a reference under Section 10 of the Act are, therefore, not deemed to be concluded until expiry of 30 days from the publication of the Award. Till then the Tribunal retains jurisdiction over the dispute referred to it for adjudication and upto that date it has the power to entertain an application for setting aside Award. The workman filed application for setting aside ex-parte Award admittedly on

20-10-1987, which was well within time as the Award was published admittedly on 25-9-1987. Besides, there is no finality attached to an ex-parte Award because it is always subject to its being set aside on sufficient grounds being shown.

12. Further contention of the management that the Central Government is not the appropriate Government also does not hold good. By means of an order dated 25-8-1986, which is annexed with written statement, simply control of the model school, is shown to have been shifted to the National Institute for Mentally Handicapped, Hyderabad on the following conditions :—

- (i) Service of the existing staff of the Model School shall be continued in their existing scales of pay and allowances in the Institute.
- (ii) The assets of the model school as existing at present shall be transferred to the Institute and taken over in the accounts.
- (iii) The expenditure on the pay and allowances of the staff and for the maintenance of the school, shall continue to be incurred by the Principal of the Model School during 1986-87." The other document annexed with the written statement is the National Institute for the Mentally Handicapped Memorandum of Association and rules and regulations, wherein the executive council is shown as under :—

Sl.No.	Name	Designation & Address	Description
1.	Shri M.C. Narasimhan	Joint Secretary, Ministry of Social Welfare, Govt. of India, New Delhi.	Chairman
2.	Shri Man Mohan Singh	Financial Adviser. Min. of Social Welfare, Govt. of India, New Delhi.	Member
3.	Shri B.S. Lamba	Director, Ministry of Social Welfare, Govt. of India, New Delhi.	Member-Secretary, (till the Director is appointed)

Signatories to the said Memorandum of Association are shown as under:

Sl.No.	Name	Occupation & Address	Signature
1.	Shri R.P. Khosla	Secretary, Ministry of Social Welfare, Govt. of India, New Delhi.	Sd/-
2.	Shri Man Mohan Singh	Financial Adviser, Ministry of Social Welfare, Govt. of India New Delhi.	Sd/-
3.	Shri M. C. Narasimhan	Joint Secretary, Ministry of Social Welfare, Govt. of India, New Delhi.	Sd/-
4.	Shri S. Venkataramani	Director, General of Employment & Training, Ministry of Labour, Govt. of India, New Delhi.	Sd/-
5.	Shri Satyam	Joint Secretary Ministry of Education, Govt. of India, New Delhi.	Sd/-
6.	Shri B.S. Lamba	Director, Ministry of Social Welfare, Govt. of India, New Delhi.	Sd/-
7.	Shri K. Kipgen	Director, Ministry of Social Welfare, Govt. of India, New Delhi.	Sd/-

The Memorandum of Association has been witnessed by Shri M. C. Khurana, Desk Officer, Ministry of Social Welfare, Government of India, New Delhi and Shri R. L. Duggal, Desk Officer, Ministry of Social Welfare, New Delhi. From these two documents, it can safely be concluded that the Central Government is the appropriate Government.

12. Hence held that the Central Government is the appropriate Government in the present reference under Section 10(1) of the I.D. Act, 1947.

13. Another contention of the management that the order of the Government of India, Ministry of Labour in transferring the proceedings to Central Government Industrial Tribunal, New Delhi, is not proper too, has no force and is not tenable. The appropriate Government can do so under Section 33-B(1) of the Industrial Disputes Act, 1947 and rules framed thereunder.

14. Hence, held that the order of the Government of India, Ministry of Labour transferring the proceedings from Central Government Industrial Tribunal, Kanpur to Central Government Industrial Tribunal, New Delhi is in order and valid.

15. Now, let me examine the case on merits. The workman has filed six documents out of which two are service certificates dated 27-6-1984 and 12-10-1984 and one is termination letter dated 29-9-1984, all issued by M/s. Leela Majumdar, Principal, Model School for Mentally Deficient Children (Department of Social Welfare, Government of India), Kasturba Niketan, Lajpat Nager, New Delhi. In the certificate dated 27-6-1984, it has been certified that the workman concerned has been working as Chowkidar on daily wages basis @ Rs. 11.60 per day since 28-1-1983. In the Certificate dated 12-10-1984, it has been certified that the workman concerned has worked as Chowkidar from 28-1-1983 to 2-10-1984 on daily wages basis @ Rs. 13.60. Both the said documents have been admitted by the representative of the management. In termination letter dated 29-9-1984, it has been stated that on account of Dussehra Holidays commencing from 30-9-1984, services of workmen were no longer required.

16. In her cross-examination MW-1, Mrs. Sudesh Dhingra has admitted that the workman joined on 28-1-1983 and continued working upto 2-10-1984 with breaks. She has also admitted that one month's notice was not given to the workman nor any compensation was given to him at the time of termination of his services. She has also admitted that the post on which the workman was working was of permanent nature. In his cross-examination, W.W. 1, the workman concerned, has stated that after one and half years service, he was relieved for 2-3 days. He further stated that he was getting Rs. 408/- per month.

17. In his statement of claim, the workman has clearly stated that the management vide letter of 16-5-1984 had illegally and wrongfully terminated

was reinstated with continuity of service and full back wages, which fact is also corroborated from the certificate issued by the Principal of the Model School aforesaid, dated 12-10-1984. This version has not been denied by the management in their written statement also. Even otherwise also such break of 2 or 3 days in the given circumstances is an artificial break with no consequence.

18. Thus, it has been found established that the workman had worked continuously from 28-1-1983 to 2-10-1984 and at the time of termination of his services neither one month's notice was given to him nor pay in lieu thereof nor he has been paid re-trenchment compensation. Hence, Section 25-F of the I. D. Act, 1947 intervenes, as a result of which the workman continues to be in the service with all consequential benefits.

19. Hence, held that the action of the management of Model School for Mentally Deficient Children in terminating the services of Shri Mukh Ram Prasad Maurya, Chowkidar from 2-10-1988 vide order dated 29-9-1984 is illegal and unjustified. Hence, order dated 29-9-1984 terminating the services of the workman is quashed, with the result that workman concerned is reinstated w.e.f. 2-10-1984 with full back wages and continuity of service and all other benefits which would have accrued to him had his services not been so terminated.

Further it is ordered that the requisite number of copies of this award may be forwarded to the Central Government for necessary action at their end.

16th September, 1996.

GANPATI SHARMA, Presiding Officer.

Ext. W-18 : Minutes of conciliation proceeding dated 27-11-1991.

Ext. W-19 : Failure report of conciliation proceeding dated 31-12-1991.

Ext. W-20 : Copy of Regd. letter dated 11-2-1992 sent to the Central Government by the worker.

Ext. W-21 : —do— dated 2-11-1992. —do—

Ext. W-22 : —do— of the Judgment in O. P. No. 7188/93-E, dated 24-6-1993 by the High Court of Kerala.

Ext. W-23 : —do— of the Regd. letter, dated 12-2-1993 sent to the Central Government by the worker.

Ext. W-24 : Copy of the statement by the worker before the High Court in O. P. 7188 of 1993 E.

Sd./-  
P. O.

नई दिल्ली, 14 अक्टूबर 1996

का. शा. 3154.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सिटी बैंक के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नई दिल्ली के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 9-10-96 को प्राप्त हुआ था।

[सं. एन-12011/7/87-आई आर-बीआई]  
पी. जे. माईकल, डेस्क अधिकारी

New Delhi, the 14th October, 1996

S.O. 3154.—In pursuance of Section II of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, New Delhi as shown in the Annexure, in the industrial dispute between the employers in relation to the management of City Bank and their workman which was received by the Central Government on 9-10-1996.

[No. L-12011/7/87-IR-BI]

P. J. MICHAEL, Desk Officer

## ANNEXURE

BEFORE SHRI GANPATI SHARMA,  
PRESIDING OFFICER, CENTRAL GOVT.  
INDUSTRIAL TRIBUNAL, NEW DELHI  
I.D. No. 70/87

In the matter of Dispute :

## BETWEEN

Workmen through The General Secretary,  
First National City Bank Staff Association,  
3, Sansad Marg, New Delhi.

## VERSUS

The Manager, Citi Bank N.A., Jeevan Vihar  
Building, 3, Sansad Marg, New Delhi.

## APPEARANCES :

Shri S. K. Maïni—for the Workmen.  
Shri Dinesh Agnani—for the Management.

## AWARD

The Central Government in the Ministry of Labour vide its Order No. L-12011/7/87-D.IV(A) dated 17-8-87 has referred the following industrial dispute to this Tribunal for adjudication :

“Whether the management of City Bank N.A. New Delhi has been discriminating in placing workmen on jobs carrying special rate of pay ? If so, to what relief the workmen concerned are entitled ?”

2. The case was fixed for arguments when the parties made a joint application for passing a no dispute award as the matter had been settled. They filed the joint application Ex. M-1 stating therein that the parties shall remain bound by the terms recorded in this application and no other dispute exist between the parties. This settlement shall form part of this award and parties shall remain bound by the terms recorded therein and shall bear their own costs.

12th September, 1996

Further it is ordered that the requisite number of copies of this Award may be forwarded to the Central Government for necessary action at their end.

GANPATI SHARMA, Presiding Officer

## ANNEXURE

BEFORE THE CENTRAL GOVT.  
INDUSTRIAL TRIBUNAL, NEW DELHI  
I.D. No. 70 of 1987

In the matter of

Workkman of Citi Bank N.A. Represented by  
First National Citi Bank Staff Association  
.. Workman

## VERSUS

Management of Citi Bank N.A.  
.. Management

JOINT APPLICATION FOR PASSING  
NO DISPUTE AWARD

Most Respectfully sheweth

1. That the aforesaid matter is pending before this Hon'ble Tribunal and is now fixed for hearing on 29-8-91.

2. That appropriate Government has referred the aforesaid dispute for adjudication and terms of reference are as follows :

“Whether the management of Citi Bank NA. New Delhi has been discriminating amongst the special Assistants by increa-

sing the special allowance in respect of four workmen viz. S/Sh. Ganga Dutta, Prem Seth, R. K. Sharma, and B. F. Batty ? If so, to what relief, the other similarly placed workmen are entitled ?”

During the pendency of the aforesaid dispute and without prejudice to the rights and contentions of the parties, the parties have arrived at a settlement, as per the following term :

- (a) That the management has agreed to pay to the effected employees a sum as out in the Annexure-A in full and final settlement of their claims.
- (b) That accordingly the affected empolyees have agreed to accept the said sum in full and final settlement of their claims arising under the circumstances.

In the circumstances it is most respectfully prayed that a award be passed.

Pass any other order(s) as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the case.

WORKMAN MANAGEMENT  
Through, Through  
REPRESENTATIVE REPRESENTATIVE

#### ANNEXURE

BEFORE THE CENTRAL GOVERNMENT  
INDUSTRIAL TRIBUNAL, NEW DELHI

I.D. No. 70 of 1987

In the Matter of :

Workman of Citibank NA Represented by  
First National Citibank Staff Association  
.. Petitioner

Versus.

Management of Citibank NA Affidavit of  
Sh. B. K. Maini, General Secretary,  
FNCBSA, New Delhi.

Respondents.

I, the above named deponent do herby solmnly affirm and declare as under :

1. That I am General Secretary of association and am fully conversant with the facts and circumstances of the case and am competent to depose by way of this affidavit.
2. That the accompanying joint application for withdrawal of the industrial dispute

has been drafted under my instructions. The facts stated therein are true and correct to my knowledge. The same be read as part of this affidavit.

DEPONENT

#### VERIFICATION :

Verified at New Delhi on this day of July, 1996 that the contents of the above affidavit are true and correct to my knowledge. No part of it is false and nothing material has been concealed therefrom.

DEPONENT

BEFORE THE CENTRAL GOVERNMENT  
INDUSTRIAL TRIBUNAL, NEW DELHI

I.D. No. 70 of 1987

In the Matter of :

Workman of Citibank NA Represented by  
First National Citibank Staff Association  
.. Petitioner

Versus

Management of Citibank NA Affidavit of  
Sh. Soumitra Gupta, Human Resources  
Head-North, Citibank NA, 3 Parliament  
Street, New Delhi.

Respondents

I, the above named deponent do hereby solemnly affirm and declare as under :

1. That I am presently working as Human Resources Head-North, with the bank and am fully conversant with the facts and circumstances of the case and am competent to depose by way of this affidavit.
2. That the accompanying joint application for withdrawal of the industrial dispute has been drafted under my instructions. The facts stated therein are true and correct to my knowledge. The same be read as part of this affidavit.

DEPONENT

#### VERIFICATION :

Verified at New Delhi on this day of July, 1996 that the contents of the above affidavit are true and correct to my knowledge. No part of it is false and nothing material has been concealed therefrom.

DEPONENT

## Teller Allowance

1. K. L. Malhotra
2. S. S. Nanda
3. S. K. Maini
4. Promilla Roy Choudhary
5. M. S. Saini
6. A. N. Tewari
7. D. R. Arora
8. G. P. Bhasin
9. Vijay Chopra
10. H. C. Grover
11. Ashok Choudhary
12. J. L. Aneja
13. N. K. Nayyar
14. Daya Singh
15. Prem Sharma

Each Employee shall be paid Rs. 2.500

नई दिल्ली, 14 अक्टूबर, 1996

का. आ. 3155—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण, केन्द्रीय सरकार भारतीय स्टेट बैंक के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नई दिल्ली के पंचमट को प्रकाशित करती है, जो केन्द्रीय सरकार को 9-10-96 को प्राप्त हुआ था।

[सं. एल-412011/18/93-आई आर-बी आई]  
पी. जे. माईकल, डेस्क अधिकारी

New Delhi, the 14th October, 1996

S.O. 3155.—In pursuance of Section II of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal New Delhi as shown in the Annexure, in the industrial dispute between the employers in relation to the management of SBI and their workman, which was received by the Central Government on the 9-10-96.

[No. L-12011/18/93-IR-BI]  
P. J. MICHAEL, DESK Officer

## ANNEXURE

BEFORE SHRI GANPATI SHARMA, PRESIDING OFFICER, CENTRAL GOVT. INDUSTRIAL TRIBUNAL, NEW DELHI

I. D. No. 38/96

In the matter of dispute between :

Shri K. K. Kapoor through  
Maha Sachiv, U.P. Bank Employees

Congress,  
21363, Namner, Agra-282001.

Versus

Assistant General Manager;  
State Bank of India,  
Zonal Office, Sanjay Place,  
Agra-282001.

## APPEARANCES :

None for the workman.

Shri K D Aggarwal, Deputy Manager  
for the Management.

## AWARD

The Central Government in the Ministry of Labour vide its Order No. L-12011/18/93-I.R.(B) dated 29-3-96 has referred the following industrial dispute to this Tribunal for adjudication:

"Whether the action of the Regional Manager, State Bank of India, Agra to impose punishment of reduction of pay for one year dated 3-1-91 to Shri K. K. Kapoor, Clerk/Typist and also transferring him outside city of Agra is legal & justified ? If not, he is entitled to what relief ?"

2. Notice was sent to the workman but none appeared on behalf of the workman on 20-5-96. Fresh notice was ordered to be sent to him for 23-7-96. A registered notice was again sent on 23-7-96 for 2-9-96 when the Management appeared but none for the workman appeared in this case. It appears that the workman is not interested in the dispute and no dispute award is given in this case leaving the parties to bear their own costs.

Further it is ordered that the requisite number of copies of this award may be forwarded to the Central Government for necessary action at their end.

2nd. September, 1996.

GANPATI SHARMA, Presiding Officer

नई दिल्ली, 14 अक्टूबर, 1996

का. आ. 3156—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार पश्चिम रेलवे के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नई दिल्ली के पंचमट को प्रकाशित करती है, जो केन्द्रीय सरकार को 9-10-96 को प्राप्त हुआ था।

[सं. एल-41011/80/87-आई आर-बी आई]  
पी. जे. माईकल, डेस्क अधिकारी

New Delhi, the 14th October, 1996

S.O. 3156.—In pursuance of Section II of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the

Central Government Industrial Tribunal New Delhi as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Paschim Rly. and their workman, which was received by the Central Government on the 9-10-96.

[No. L-41011/80/81-IR BI]

P. J. MICHAEL, Desk Officer

#### ANNEXURE

BEFORE SHRI GANPATI SHARMA, PRESIDING OFFICER, CENTRAL GOVT. INDUSTRIAL TRIBUNAL, NEW DELHI

I.D. No. 101/90

In the matter of dispute between :

Shri Munni Lal s/o Shri Jagan  
through The Divisional Secretary,  
Paschim Railway Karamchari Parishad,  
Kota.

Versus

The Executive Engineer,  
Railway Electrification,  
Kota.

#### APPEARANCES :

Shri A. D. Grover for the workman.  
Shri H. L. Nanda for the Management with  
Shri Ashok Kumar.

#### AWARD

The Central Government in the Ministry of Labour vide its Order No. L-41011/80/87-IR(DU) dated 5-9-90/10-9-90 has referred the following industrial dispute to this Tribunal for adjudication :

"Whether the action of Executive Engineer, Railway Electrification, Kota in marking Shri Muni Lal as absent on 30-3-89, 31-3-89, 1-4-89 and 21-4-89 and deducting his pay is justified. If not, what relief he is entitled to ?"

2. Shri A. D. Grover representative for the workman made statement that since the workman was not interested to pursue the matter the same may be treated as withdrawn and No dispute award may be given.

3. In view of this situation and statement made by the representative for the workman No dispute

award is given in this case leaving the parties to bear their own costs.

Further it is ordered that the requisite number of copies of this award may be forwarded to the Central Govt. for necessary action at their end.

13th September, 1996.

GANPATI SHARMA, Presiding Officer

नई दिल्ली, 18 अक्टूबर, 1996

का.आ. 3157.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 7 की उप-धारा (1) और (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्द्वारा, उक्त अधिनियम की द्वितीय अनुसूची में विनिर्दिष्ट किसी विषय से संबन्धित औद्योगिक विवादों के न्याय-निर्णयन के लिए और ऐसे अन्यकृत्यों को करने के लिए, जैसा कि उक्त अधिनियम के अधीन उसे सौंपे जाएं, श्रम न्यायालय का गठन करती है, जिसका मुख्यालय जयपुर में होगा।

जब कि जयपुर स्थित नव सृजित श्रम न्यायालय में पीठासीन अधिकारी के पद को भरने के लिए प्रयास किए जा रहे हैं,

और जब कि भारत सरकार, श्रम मंत्रालय की अधिसूचना सं. ए-11016/7/94-सी एल एस-11) दिनांक 28 अगस्त, 1995 द्वारा श्री आर. एस. वर्मा, अवकाश प्राप्त उच्च न्यायालय जज, राजस्थान को अगले आदेशों तक केन्द्रीय सरकार औद्योगिक अधिकरण-सह-श्रम न्यायालय सं.-1, बम्बई के पीठासीन अधिकारी के रूप में नियुक्त किया गया है,

अतः अब औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 8 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्द्वारा, श्री आर. एस. वर्मा को उनके वर्तमान कार्यभार के अतिरिक्त उनके द्वारा अतिरिक्त कार्यभार ग्रहण करने की तिथि से तीन मास के लिए अथवा नियमित पदाधिकारी की नियुक्ति होने तक, जो पहले हो, उक्त श्रम न्यायालय, जयपुर के पीठासीन अधिकारी के रूप में नियुक्त करती है।

[फाइल सं. जैड-13011/8/96-सी एल एस-II]

एस. बी. कृष्णन, अवसर सचिव

New Delhi, the 18th October, 1996

S.O. 3157.—In exercise of the powers conferred by sub-sections (1) and (2) of Section 7 of the Industrial Disputes Act, 1947 (14 of 1947), the

Central Government hereby constitutes Labour Court with headquarters at Jaipur for the adjudication of industrial disputes to the said Act and for performing such other functions as may be assigned to it under the said Act;

Whereas efforts are being made to fill up the post of Presiding Officer in the newly created Labour Court at Jaipur;

And whereas Shri R. S. Verma, retired High Court Judge, Rajasthan has been appointed as Presiding Officer of Central Government Industrial Tribunal-cum-Labour Court No. 1, Bombay till further orders by the notification of the Government of India in the Ministry of Labour (No. A-11016/7/94-CLS-II) dated 28th August, 1995;

Now, therefore, in exercise of the powers conferred by Section 3 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby appoints Shri R. S. Verma, as the Presiding Officer of the said Labour Court, Jaipur in addition to his present charge for a period of three months with effect from his taking over the additional charge or till the appointment of the regular incumbent, whichever is earlier.

[F. No. Z-13011/8/96-CLS-II]

S. V. KRISHNAN, Under Secy.

नई दिल्ली, 25 अक्टूबर, 1996

का.आ. 3158 कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा-1 की उप धारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्-द्वारा 1-11-1996 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय-4 (धारा-44 और 45 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) और अध्याय-5 और 6 (धारा-76 की उपधारा (1) और धारा 77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) के उपबन्ध मध्य प्रदेश राज्य के निम्नलिखित क्षेत्रों में प्रवृत्त होंगे, अर्थात्:—

“जिला और तहसील दुर्ग में स्थित राजस्व ग्राम खपरी”।

[संख्या - एस-38013/20/96-एस.एस-1]

जे. पी. शुक्ला, अवर सचिव

New Delhi, the 25th October, 1996

S.O. 3158.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Employees' State Insurance Act, 1948 (34 of 1948) the Central Government hereby appoints the 1st November, 1996 as the date on which the provisions of Chapter IV (except Sections 44 and 45 which have already been brought into force) and Chapter V and VI (except sub-section (1) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Madhya Pradesh namely:—

“The areas within the Revenue Village Khapari in Tehsil and District Durg.”

[No. S-38013/20/96-SS. II]

J. P. SHUKLA, Under Secy.

(नियोजन और प्रशिक्षण महानिदेशालय)

नई दिल्ली, 31 अक्टूबर, 1996

का.आ. 3159 केन्द्रीय सरकार, शिक्षा अधिनियम, 1961 (1961 का 52) की धारा 2 के खंड (ड) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और केन्द्रीय शिक्षा परिषद् से परामर्श करने के पश्चात्, नीचे दी गई सारणी जहां उपजीविका के राष्ट्रीय वर्गीकरण के कोड संख्यांक उक्त सारणी के स्तम्भ (2) में वर्णित है, के स्तम्भ (1) में उल्लिखित व्यवसायों को, उक्त अधिनियम के प्रयोजनों के लिए यथामिहित व्यवसायों के रूप में विनिर्दिष्ट करती है, अर्थात् —

सारणी

व्यवसाय	उपजीविका के राष्ट्रीय वर्गीकरण के कोड संख्यांक
1	2
समूह सं. 7	सूक्ष्म मशीनरी व्यवसाय समूह
1. टूल और डाई मेकर (डाई और मोल्ड्स)	833.10, 833.40
2. टूल और डाई मेकर (प्रेस टूल्स, जिप्स और फिक्साच)	833.10, 833.40

[फा.सं. डी जी ई टी-23(14)/95-ग. पी.]

कृष्णा शर्मा, अवर सचिव

(Directorate General of Employment &amp; Training)

New Delhi, the 1st October, 1996

S. O. 3159.—In exercise of the powers conferred by clause (e) of Section 2 of the Apprentices Act, 1961 (52 of 1961) and after consultation with the Central Apprenticeship Council, the Central Government hereby specifies the trades, mentioned in column (1), of the Table below where code numbers of National Classification of Occupations are described in column (2) of the said Table, as designated trades for the purposes of the said Act, namely

TABLE

Trades	Code numbers National Classification of Occupations
1	2
Group No. 7—	Precision Machining Trades Group.
1. Tool and Die Maker	833.10
(Dies and Moulds)	833.40
2. Tool and Die Maker	833.10
(Press Tools, Jigs and Fixtures)	833.40

[No. DGET 23(14)/95-AP]  
KRISHNA SHARMA, Under Secy.